

THE INSTITUTIO ORATORIA OF
QUINTILIAN

WITH AN ENGLISH TRANSLATION BY

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IN FOUR VOLUMES

IV

Quintilianus



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THE INSTITUTIO ORATORIA OF QUINTILIAN

BOOK X

I. BUT these rules of style, while part of the student's theoretical knowledge, are not in themselves sufficient to give him oratorical power. In addition he will require that assured facility which the Greeks call εὔχρησις. I know that many have raised the question as to whether this is best acquired by writing, reading or speaking, and it would indeed be a question calling for serious consideration, if we could rest content with any one of the three. But they are so intimately and inseparably connected, that if one of them be neglected, we shall but waste the labour which we have devoted to the others. For eloquence will never attain to its full development or robust health, unless it acquires strength by frequent practice in writing, while such practice without the models supplied by reading will be like a ship drifting aimlessly without a steersman. Again, he who knows what he ought to say and how he should say it, will be like a miser brooding over his hoarded treasure, unless he has the weapons of his eloquence ready for battle and prepared to deal with every emergency. But the degree in 3

3

B 2

BOOK X. I. 3-6

which a thing is essential does not necessarily make it of immediate and supreme importance for the formation of the ideal orator. For obviously the power of speech is the first essential, since therein lies the primary task of the orator, and it is obvious that it was with this that the art of oratory began, and that the power of imitation comes next, and third and last diligent practice in writing. But as 4 perfection cannot be attained without starting at the very beginning, the points which come first in time will, as our training proceeds, become of quite trivial importance. Now we have reached a stage in our enquiry where we are no longer considering the preliminary training of our orator; for I think the instructions already given should suffice for that; they are in any case as good as I could make them. Our present task is to consider how our athlete who has learnt all the technique of his art from his trainer, is to be prepared by actual practice for the contests in which he will have to engage. Consequently, we must assume that our student has learned how to conceive and dispose his subject matter and understands how to choose and arrange his words, and must proceed to instruct him how to make the best and readiest use of the knowledge which he has acquired.

There can then be no doubt that he must accumu- 5 late a certain store of resources, to be employed whenever they may be required. The resources of which I speak consist in a copious supply of words and matter. But while the matter is necessarily 6 either peculiar to the individual case, or at best common to only a few, words must be acquired to suit all and every case. Now, if there were special

BOOK X. 1. 6-9

words adapted to each individual thing, they would require less care, since they would automatically be suggested by the matter in hand. But since some words are more literal, more ornate, more significant or euphonious than others, our orator must not merely be acquainted with all of them, but must have them at his fingers' ends and before his very eyes, so that when they present themselves for his critical selection, he will find it easy to make the appropriate choice. I know that some speakers ⁷ make a practice of learning lists of synonyms by heart, in order that one word out of the several available may at once present itself to them, and that if, after using one word, they find that it is wanted again after a brief interval, they may be able to select another word with the same meaning and so avoid the necessity of repetition. But this practice is childish and involves thankless labour, while it is really of very little use, as it merely results in the assembly of a disorderly crowd of words, for the speaker to snatch the first that comes to hand.

On the contrary, discrimination is necessary in ⁸ the acquisition of our stock of words; for we are aiming at true oratory, not at the fluency of a cheapjack. And we shall attain our aim by reading and listening to the best writers and orators, since we shall thus learn not merely the words by which things are to be called, but when each particular word is most appropriate. For there is a place in ⁹ oratory for almost every word, with the exception only of a very few, which are not sufficiently seemly. Such words are indeed often praised when they occur in writers of iambics ¹ or of the old comedy,

BOOK X. 1. 9-12

but we need do no more than consider our own special task. All words, with these exceptions, may be admirably employed in some place or other. For sometimes we shall even require low and common words, while those which would seem coarse if introduced in the more elegant portions of our speech may, under certain circumstances, be appropriate enough. Now to acquire a knowledge of these words and to be acquainted not merely with their meaning, but with their forms and rhythmical values, so that they may seem appropriate wherever employed, we shall need to read and listen diligently, since all language is received first through the ear. It was owing to this fact that the children who, by order of a king, were brought up by a dumb nurse in a desert place, although they are said to have uttered certain words, lacked the power of speech.¹ There are, however, some words of such a nature that they express the same sense by different sounds, so that it makes no difference to the meaning which we use, as, for instance, *gladius* and *ensis*, which may be used indifferently when we have to speak of a sword. Others, again, although properly applied to specific objects, are used by means of a *trope* to express the same sense, as, for example, *ferrum* (steel) and *micra* (point), which are both used in the sense of sword. Thus, by the *figure* known as *abuse*,² we call all those who commit a murder with any weapon whatsoever *sicarii* (poniarders). In other cases we express our meaning periphrastically, as, for instance, when Virgil³ describes cheese as

“Abundance of pressed milk.”

BOOK X. 1. 12-16

On the other hand, in a number of instances we employ *figures*¹ and substitute one expression for another. Instead of "I know," we say "I am not ignorant," or "the fact does not escape me," or "I have not forgotten," or "who does not know?" or "it can be doubted by none." But we may also 13 borrow from a word of cognate meaning. For "I understand," or "I feel" or "I see" are often equivalent to "I know." Reading will provide us with a rich store of expressions such as these, and will enable us not merely to use them when they occur to us, but also in the appropriate manner. For they are not always interchangeable: for 14 example, though I may be perfectly correct in saying, "I see" for "I understand," it does not follow that I can say "I understand" for "my eyes have seen," and though *mucro* may be employed to describe a sword, a sword does not necessarily mean the same as *mucro* (point). But, although a store 15 of words may be acquired by these means, we must not read or listen to orators merely for the sake of acquiring words. For in everything which we teach examples are more effective even than the rules which are taught in the schools, so long as the student has reached a stage when he can appreciate such examples without the assistance of a teacher, and can rely on his own powers to imitate them. And the reason is this, that the professor of rhetoric lays down rules, while the orator gives a practical demonstration.

But the advantages conferred by reading and 16 listening are not identical. The speaker stimulates us by the animation of his delivery, and kindles the imagination, not by presenting us with an elaborate

BOOK X. I. 16-19

picture, but by bringing us into actual touch with the things themselves. Then all is life and movement, and we receive the new-born offspring of his imagination with enthusiastic approval. We are moved not merely by the actual issue of the trial, but by all that the orator himself has at stake. More- 17
over his voice, the grace of his gestures, the adaptation of his delivery (which is of supreme importance in oratory), and, in a word, all his excellences in combination, have their educative effect. In reading, on the other hand, the critical faculty is a surer guide, inasmuch as the listener's judgment is often swept away by his preference for a particular speaker, or by the applause of an enthusiastic audience. For 18
we are ashamed to disagree with them, and an unconscious modesty prevents us from ranking our own opinion above theirs, though all the time the taste of the majority is vicious, and the *claque* may praise even what does not really deserve approval. On the other hand, it will sometimes also happen 19
that an audience whose taste is bad will fail to award the praise which is due to the most admirable utterances. Reading, however, is free, and does not hurry past us with the speed of oral delivery; we can re-read a passage again and again if we are in doubt about it or wish to fix it in the memory. We must return to what we have read and reconsider it with care, while, just as we do not swallow our food till we have chewed it and reduced it almost to a state of liquefaction to assist the process of digestion, so what we read must not be committed to the memory for subsequent imitation while it is still in a crude state, but must be softened and, if I may use the phrase, reduced to a pulp by frequent re-perusal.

For a long time also we should read none save the best authors and such as are least likely to betray our trust in them, while our reading must be almost as thorough as if we were actually transcribing what we read. Nor must we study it merely in parts, but must read through the whole work from cover to cover and then read it afresh, a precept which applies more especially to speeches, whose merits are often deliberately disguised. For the orator frequently prepares his audience for what is to come, dissembles and sets a trap for them and makes remarks at the opening of his speech which will not have their full force till the conclusion. Consequently what he says will often seem comparatively ineffective where it actually occurs, since we do not realise his motive and it will be necessary to re-read the speech after we have acquainted ourselves with all that it contains. Above all, it is most desirable that we should familiarise ourselves with the facts of the case with which the speech deals, and it will be well also, wherever possible, to read the speeches delivered on both sides, such as those of Aeschines and Demosthenes in the case of Ctesiphon, of Servius Sulpicius and Messala for and against Aufidia,¹ of Pollio² and Cassius³ in the case of Asprenas,⁴ and many others. And even if such speeches seem unequal in point of merit, we shall still do well to study them carefully with a view to understanding the problems raised by the cases with which they deal: for example, we should compare the speeches delivered by Tubero against Ligarius and by Hortensius in defence of Verres with those of Cicero for the opposite side, while it will also be useful to know how different orators pleaded the same case. For example,

BOOK X. 1. 23-27

Calidius¹ spoke on the subject of Cicero's house, Brutus wrote a declamation in defence of Milo, which Cornelius Celsus wrongly believes to have been actually delivered in court,² and Pollio and Messalla defended the same clients,³ while in my boyhood remarkable speeches delivered by Domitius Afer,⁴ Crispus Passienus⁵ and Decimus Laelius⁶ in defence of Volusenus were in circulation.

The reader must not, however, jump to the conclusion 24 that all that was uttered by the best authors is necessarily perfect. At times they lapse and stagger beneath the weight of their task, indulge their bent or relax their efforts. Sometimes, again, they give the impression of weariness: for example, Cicero⁷ thinks that Demosthenes sometimes nods, and Horace⁸ says the same of Homer himself. For despite their 25 greatness they are still but mortal men, and it will sometimes happen that their reader assumes that anything which he finds in them may be taken as a canon of style, with the result that he imitates their defects (and it is always easier to do this than to imitate their excellences) and, thinks himself a perfect replica if he succeeds in copying the blemishes of great men. But modesty and circum- 26 spection are required in pronouncing judgment on such great men, since there is always the risk of falling into the common fault of condemning what one does not understand. And, if it is necessary to err on one side or the other, I should prefer that the reader should approve of everything than that he should disapprove of much.

Theophrastus⁹ says that the reading of poets is 27 of great service to the orator, and has rightly been followed in this view by many. For the poets will

give us inspiration as regards the matter, sublimity of language, the power to excite every kind of emotion, and the appropriate treatment of character, while minds that have become jaded owing to the daily wear and tear of the courts will find refreshment in such agreeable study. Consequently Cicero¹ recommends the relaxation provided by the reading of poetry. We should, however, remember that the 28 orator must not follow the poets in everything, more especially in their freedom of language and their license in the use of figures. Poetry has been compared to the oratory of display, and further, aims solely at giving pleasure, which it seeks to secure by inventing what is not merely untrue, but sometimes even incredible. Further, we must bear in mind 29 that it can be defended on the ground that it is tied by certain metrical necessities and consequently cannot always use straightforward and literal language, but is driven from the direct road to take refuge in certain by-ways of expression; and compelled not merely to change certain words, but to lengthen, contract, transpose or divide them, whereas the orator stands armed in the forefront of the battle, ✓ fights for a high stake and devotes all his effort to winning the victory. And yet I would not have his 30 weapons defaced by mould and rust, but would have them shine with a splendour that shall strike terror to the heart of the foe, like the flashing steel that dazzles heart and eye at once, not like the gleam of gold or silver, which has no warlike efficacy and is even a positive peril to its wearer.

History, also, may provide the orator with a nutri- 31 ment which we may compare to some rich and pleasant juice. But when we read it, we must

BOOK X. 1. 31-34

remember that many of the excellences of the historian require to be shunned by the orator. For history has a certain affinity to poetry and may be regarded as a kind of prose poem, while it is written for the purpose of narrative, not of proof, and designed from beginning to end not for immediate effect or the instant necessities of forensic strife, but to record events for the benefit of posterity and to win glory for its author. Consequently, to avoid monotony of narrative, it employs unusual words and indulges in a freer use of figures. Therefore, as I have already 32 said,¹ the famous brevity of Sallust, than which nothing can be more pleasing to the leisured ear of the scholar, is a style to be avoided by the orator in view of the fact that his words are addressed to a judge who has his mind occupied by a number of thoughts and is also frequently uneducated, while, on the other hand, the milky fullness of Livy is hardly of a kind to instruct a listener who looks not for beauty of exposition, but for truth and credibility. We must also remember that Cicero² thinks that not 33 even Thucydides or Xenophon will be of much service to an orator, although he regards the style of the former as a veritable call to arms and considers that the latter was the mouthpiece of the Muses. It is, however, occasionally permissible to borrow the graces of history to embellish our digressions, provided always that we remember that in those portions of our speech which deal with the actual question at issue we require not the swelling thews of the athlete, but the wiry sinews of the soldier, and that the cloak of many colours which Demetrius of Phalerum³ was said to wear is but little suited to the dust and heat of the forum. There is, it is true, 34

another advantage which we may derive from the historians, which, however, despite its great importance, has no bearing on our present topic; I refer to the advantage derived from the knowledge of historical facts and precedents, with which it is most desirable that our orator should be acquainted; for such knowledge will save him from having to acquire all his evidence from his client and will enable him to draw much that is germane to his case from the careful study of antiquity. And such arguments will be all the more effective, since they alone will be above suspicion of prejudice or partiality.

The fact that there is so much for which we must have recourse to the study of the philosophers is the fault of orators who have abandoned¹ to them the fullest portion of their own task. The Stoics more especially discourse and argue with great keenness on what is just, honourable, expedient and the reverse, as well as on the problems of theology, while the Socratics give the future orator a first-rate preparation for forensic debates and the examination of witnesses. But we must use the same critical caution in studying the philosophers that we require in reading history or poetry; that is to say, we must bear in mind that, even when we are dealing with the same subjects, there is a wide difference between forensic disputes and philosophical discussions, between the law-courts and the lecture-room, between the precepts of theory and the perils of the bar.

Most of my readers will, I think, demand that, since I attach so much importance to reading, I should include in this work some instructions as to what authors should be read and what their special

excellences may be. To do this in detail would be an endless task. Remember that Cicero in his *Brutus*, after writing pages and pages on the subject of Roman orators alone, says nothing of his own contemporaries with the exception of Caesar and Marcellus. What limit, then, would there be to my labours if I were to attempt to deal with them and with their successors and all the orators of Greece as well? No, it was a safer course that Livy adopted in his letter to his son, where he writes that he should read Cicero and Demosthenes and then such orators as most resembled them. Still, I must not conceal my own personal convictions on this subject. I believe that there are few, indeed scarcely a single one of those authors who have stood the test of time who will not be of some use or other to judicious students, since even Cicero himself admits that he owes a great debt even to the earliest writers, who for all their talent were totally devoid of art. And my opinion about the moderns is much the same. For how few of them are so utterly crazy as not to have the least shadow of hope that some portion or other of their work may have claims upon the memory of posterity? If there is such an one, he will be detected before we have perused many lines of his writings, and we shall escape from him before the experiment of reading him has cost us any serious loss of time. On the other hand, not everything that has some bearing on some department of knowledge will necessarily be of service for the formation of style, with which we are for the moment concerned.

Before, however, I begin to speak of individual authors, I must make a few general remarks about the variety of judgments which have been passed

BOOK X. I. 42-46

upon them. For there are some who think that only 43
the ancients should be read and hold that they are
the sole possessors of natural eloquence and manly
vigour; while others revel in the voluptuous and
affected style of to-day, in which everything is de-
signed to charm the ears of the uneducated majority.
And even if we turn to those who desire to follow 44
the correct methods of style, we shall find that some
think that the only healthy and genuinely Attic style
is to be found in language which is restrained and
simple and as little removed as possible from the
speech of every day, while others are attracted by a
style which is more elevated and full of energy and
animation. There are, too, not a few who are de-
voted to a gentle, elegant and harmonious style. Of
these different ideals I shall speak in greater detail,
when I come to discuss the question of the particular
styles best suited to oratory.¹ For the moment I
shall restrict myself to touching briefly on what the
student who desires to consolidate his powers of
speaking should seek in his reading and to what kind
of reading he should devote his attention. My de-
sign is merely to select a few of the most eminent
authors for consideration. It will be easy for the 45
student to decide for himself what authors most
nearly resemble these: consequently, no one will
have any right to complain if I pass over some of his
favourites. For I will readily admit that there are
more authors worth reading than those whom I pro-
pose to mention. But I will now proceed to deal
with the various classes of reading which I consider
most suitable for those who are ambitious of becoming
orators.

I shall, I think, be right in following the principle 46

BOOK X. I. 46-49

laid down by Aratus¹ in the line, "With Jove let us begin," and in beginning with Homer. He is like his own conception of Ocean,² which he describes as the source of every stream and river; for he has given us a model and an inspiration for every department of eloquence. It will be generally admitted that no one has ever surpassed him in the sublimity with which he invests great themes or the propriety with which he handles small. He is at once luxuriant and concise, sprightly and serious, remarkable at once for his fullness and his brevity, and supreme not merely for poetic, but for oratorical power as well. For, to say nothing of his eloquence, 47 which he shows in praise, exhortation and consolation, do not the ninth book containing the embassy to Achilles, the first describing the quarrel between the chiefs, or the speeches delivered by the counsellors in the second, display all the rules of art to be followed in forensic or deliberative oratory? As regards the emotions, there can be no one so ill- 48 educated as to deny that the poet was the master of all, tender and vehement alike. Again, in the few lines with which he introduces both of his epics, has he not, I will not say observed, but actually established the law which should govern the composition of the exordium? For, by his invocation of the goddesses believed to preside over poetry he wins the goodwill of his audience, by his statement of the greatness of his themes he excites their attention and renders them receptive by the briefness of his summary. Who can narrate more briefly than the hero³ who 49 brings the news of Patroclus' death, or more vividly than he⁴ who describes the battle between the Curetes and the Aetolians? Then consider his

BOOK X. 1. 49-54

similes, his amplifications, his illustrations, digressions, indications of fact, inferences, and all the other methods of proof and refutation which he employs. They are so numerous that the majority of writers on the principles of rhetoric have gone to his works for examples of all these things. And as 50 for perorations, what can ever be equal to the prayers which Priam addresses to Achilles¹ when he comes to beg for the body of his son? Again, does he not transcend the limits of human genius in his choice of words, his reflexions, figures, and the arrangement of his whole work, with the result that it requires a powerful mind, I will not say to imitate, for that is impossible, but even to appreciate his excellences? But he has in truth outdistanced all that have come 51 after him in every department of eloquence, above all, he has outstripped all other writers of epic, the contrast in their case being especially striking owing to the similarity of the material with which they deal. Hesiod rarely rises to any height, while a 52 great part of his works is filled almost entirely with names²: none the less, his maxims of moral wisdom provide a useful model, the smooth flow of his words and structure merit our approval, and he is assigned the first place among writers of the intermediate style. On the other hand, Antimachus³ 53 deserves praise for the vigour, dignity and elevation of his language. But although practically all teachers of literature rank him second among epic poets, he is deficient in emotional power, charm, and arrangement of matter, and totally devoid of real art. No better example can be found to show what a vast difference there is to being near another writer and being second to him. Panyasis⁴ is 54

BOOK X. 1. 54-57

regarded as combining the qualities of the last two poets, being their inferior in point of style, but surpassing Hesiod in the choice of his subject and Antimaclus in its arrangement. Apollonius¹ is not admitted to the lists drawn up by the professors of literature, because the critics, Aristarchus and Aristophanes,² included no contemporary poets. None the less, his work is by no means to be despised, being distinguished by the consistency with which he maintains his level as a representative of the intermediate type. The subject 55 chosen by Aratus is lifeless and monotonous, affording no scope for pathos, description of character, or eloquent speeches. However, he is adequate for the task to which he felt himself equal. Theocritus is admirable in his own way, but the rustic and pastoral muse shrinks not merely from the forum, but from town-life of every kind. I think I hear 56 my readers on all sides suggesting the names of hosts of other poets. What? Did not Pisandros³ tell the story of Hercules in admirable style? Were there not good reasons for Virgil and Macer taking Nicander⁴ as a model? Are we to ignore Euphorion?⁵ Unless Virgil had admired him, he would never have mentioned

“verses written in Chalcidic strain”

in the *Eclogues*. Again, had Horace no justification for coupling the name of Tyrtaeus⁶ with that of Homer? To which I reply, that there is no one so 57 ignorant of poetic literature that he could not, if he chose, copy a catalogue of such poets from some

⁶ See Hor. *A. P.* 401. Tyrtaeus, writer of war songs (seventh century B.C.).

library for insertion in his own treatises. I can therefore assure my readers that I am well aware of the existence of the poets whom I pass over in silence, and am far from condemning them, since I have already said that some profit may be derived from every author.¹ But we must wait till our powers have been developed and established to the full before we turn to these poets, just as at banquets we take our fill of the best fare and then turn to other food which, in spite of its comparative inferiority, is still attractive owing to its variety. Not until our taste is formed shall we have leisure to study the elegiac poets as well. Of these, Callimachus is regarded as the best, the second place being, according to the verdict of most critics, occupied by Philetas.² But until we have acquired that assured facility of which I spoke,³ we must familiarise ourselves with the best writers only and must form our minds and develop an appropriate tone by reading that is deep rather than wide. Consequently, of the three writers of iambics⁴ approved by the judgment of Aristarchus, Archilochus will be far the most useful for the formation of the facility in question. For he has a most forcible style, is full of vigorous, terse and pungent reflexions, and overflowing with life and energy: indeed, some critics think that it is due solely to the nature of his subjects, and not to his genius, that any poets are to be ranked above him. Of the nine lyric poets⁵ Pindar is by far the greatest, in virtue of his inspired magnificence, the beauty of his thoughts and figures, the rich exuberance of his language and matter, and his rolling flood of eloquence, characteristics which, as Horace⁶ rightly held, make him in-

BOOK X. 1. 61-65

imitable. The greatness of the genius of Stesichorus¹ 62 is shown by his choice of subject: for he sings of the greatest wars and the most glorious of chieftains, and the music of his lyre is equal to the weighty themes of epic poetry. For both in speech and action he invests his characters with the dignity which is their due, and if he had only been capable of exercising a little more restraint, he might, perhaps, have proved a serious rival to Homer. But he is redundant and diffuse, a fault which, while deserving of censure, is nevertheless a defect springing from the very fullness of his genius. Alcaeus has deserved the compliment of being said 63 to make music with *quill of gold*² in that portion of his works in which he attacks the tyrants of his day and shows himself a real moral force. He is, moreover, terse and magnificent in style, while the vigour of his diction resembles that of oratory. But he also wrote poetry of a more sportive nature and stooped to erotic poetry, despite his aptitude for loftier themes. Simonides³ wrote in a simple style, 64 but may be recommended for the propriety and charm of his language. His chief merit, however, lies in his power to excite pity, so much so, in fact, that some rank him in this respect above all writers of this class of poetry.

The old comedy is almost the only form of poetry 65 which preserves intact the true grace of Attic diction, while it is characterised by the most eloquent freedom of speech, and shows especial power in the denunciation of vice; but it reveals great force in other departments as well. For its style is at once lofty, elegant and graceful, and if we except Homer, who, like Achilles among warriors,

is beyond all comparison, I am not sure that there is any style which bears a closer resemblance to oratory or is better adapted for forming the orator. There are a number of writers of the old comedy, 66 but the best are Aristophanes, Eupolis and Cratinus.¹ Aeschylus was the first to bring tragedy into prominence: he is lofty, dignified, grandiloquent often to a fault, but frequently uncouth and inharmonious. Consequently, the Athenians allowed later poets to revise his tragedies and to produce them in the dramatic contests, and many succeeded in winning the prize by such means. Sophocles 67 and Euripides, however, brought tragedy to far greater perfection: they differ in style, but it is much disputed as to which should be awarded the supremacy, a question which, as it has no bearing on my present theme, I shall make no attempt to decide. But this much is certain and incontrovertible, that Euripides will be found of far greater service to those who are training themselves for pleading in court. For his language, although actually censured 68 by those who regard the dignity, the stately stride and sonorous utterance of Sophocles as being more sublime, has a closer affinity to that of oratory, while he is full of striking reflexions, in which, indeed, in their special sphere, he rivals the philosophers themselves, and for defence and attack may be compared with any orator that has won renown in the courts. Finally, although admirable in every kind of emotional appeal, he is easily supreme in the power to excite pity. Menander, as he often testifies in his works, had 69 a profound admiration for Euripides, and imitated him, although in a different type of work. Now,

BOOK X. 1. 69-72

the careful study of Menander alone would, in my opinion, be sufficient to develop all those qualities with the production of which my present work is concerned; so perfect is his representation of actual life, so rich is his power of invention and his gift of style, so perfectly does he adapt himself to every kind of circumstance, character and emotion. Indeed, those critics are no fools who think 70 the speeches attributed to Charisius¹ were in reality written by Menander. But I consider that he shows his power as an orator far more clearly in his comedies; since assuredly we can find no more perfect models of every oratorical quality than the judicial pleadings of his Epitrepontes,² Epicleros and Locri, or the declamatory speeches in the Pso-phodes, Nomothetes, and Hypobolimaeus. Still, for 71 my own part, I think that he will be found even more useful by declaimers, in view of the fact that they have, according to the nature of the various controversial themes, to undertake a number of different rôles and to impersonate fathers, sons, soldiers, peasants, rich men and poor, the angry man and the suppliant, the gentle and the harsh. And all these characters are treated by this poet with consummate appropriateness. Indeed, such is his 72 supremacy that he has scarce left a name to other writers of the new comedy, and has cast them into darkness by the splendour of his own renown. Still, you will find something of value in the other comic poets as well, if you read them in not too critical a spirit; above all, profit may be derived from the study of Philemon,³ who, although it was

¹ Philemon of Soli (360-262); Menander of Athens (342-290).

BOOK X. i. 72-75

a depraved taste which caused his contemporaries often to prefer him to Menander, has none the less deserved the second place which posterity has been unanimous in awarding him.

If we turn to history, we shall find a number of 73 distinguished writers; but there are two who must undoubtedly be set far above all their rivals: their excellences are different in kind, but have won almost equal praise. Thucydides is compact in texture, terse and ever eager to press forward: Herodotus is pleasant, lucid and diffuse: the former excels in vigour, speeches and the expression of the stronger passions; the latter in charm, conversations and the delineation of the gentler emotions. Theopompus¹ comes next, and though as a historian he is inferior to the authors just mentioned, his style has a greater resemblance to oratory, which is not surprising, as he was an orator before he was urged to turn to history. Philistus² also deserves special distinction among the crowd of later historians, good though they may have been: he was an imitator of Thucydides, and though far his inferior, was somewhat more lucid. Ephorus,³ according to Isocrates, needed the spur. Clitarchus⁴ has won approval by 75 his talent, but his accuracy has been impugned. Timagenes⁵ was born long after these authors, but deserves our praise for the very fact that he revived the credit of history, the writing of which had fallen into neglect. I have not forgotten Xenophon, but he will find his place among the philosophers.

¹ Clitarchus of Megara wrote a history of Persia and of Alexander, whose contemporary he was.

⁵ Timagenes, a Syrian of the Augustan age, wrote a history of Alexander and his successors.

BOOK X. I. 76-80

There follows a vast army of orators, Athens alone 76
 having produced ten remarkable orators¹ in the
 same generation. Of these Demosthenes is far the
 greatest: indeed he came to be regarded almost as
 the sole pattern of oratory. Such is the force and
 compactness of his language, so muscular his style,
 so free from tameness and so self-controlled, that
 you will find nothing in him that is either too much
 or too little. The style of Aeschines is fuller and 77
 more diffuse, while his lack of restraint gives an
 appearance of grandeur. But he has more flesh and
 less muscle. Hyperides has extraordinary charm and
 point, but is better qualified, not to say more useful,
 for cases of minor importance. Lysias belongs to an 78
 earlier generation than those whom I have just
 mentioned. He has subtlety and elegance and, if
 the orator's sole duty were merely to instruct, it
 would be impossible to conceive greater perfection.
 For there is nothing irrelevant or far-fetched in his
 speeches. None the less I would compare him to a
 clear spring rather than to a mighty river. Isocrates 79
 was an exponent of a different style of oratory: he is
 neat and polished and better suited to the fencing-
 school than to the battlefield. He elaborated all the
 graces of style, nor was he without justification. For
 he had trained himself for the lecture-room and not
 the law-courts. He is ready in invention, his moral
 ideals are high and the care which he bestows upon
 his rhythm is such as to be a positive fault. I do 80
 not regard these as the sole merits of the orators of
 whom I have spoken, but have selected what seemed
 to me their chief excellences, while those whom I
 have passed over in silence were far from being
 indifferent. In fact, I will readily admit that the

BOOK X. 1. 80-83

famous Demetrius of Phalerum,¹ who is said to have been the first to set oratory on the downward path, was a man of great talent and eloquence and deserves to be remembered, if only for the fact that he is almost the last of the Attic school who can be called an orator : indeed Cicero² prefers him to all other orators of the intermediate school.

Proceeding to the philosophers, from whom Cicero⁸¹ acknowledges that he derived such a large portion of his eloquence, we shall all admit that Plato is supreme whether in acuteness of perception or in virtue of his divine gift of style, which is worthy of Homer. For he soars high above the levels of ordinary prose or, as the Greeks call it, pedestrian language, and seems to me to be inspired not by mere human genius, but, as it were, by the oracles of the god of Delphi. Why should I speak of the⁸² unaffected charm of Xenophon, so far beyond the power of affectation to attain? The Graces themselves seem to have moulded his style, and we may with the utmost justice say of him, what the writer of the old comedy³ said of Pericles, that the goddess of persuasion sat enthroned upon his lips. Why⁸³ should I dwell on the elegance of the rest of the Socratics? or on Aristotle,⁴ with regard to whom I hesitate whether to praise him more for his knowledge, for the multitude of his writings, the sweetness of his style, the penetration revealed by his discoveries or the variety of the tasks which he

¹ "Sweet" is the last epithet to be applied to the surviving works of Aristotle. But Dionysius of Halicarnassus and Cicero praise him no less warmly, referring, no doubt, to works that are lost.

essayed? In Theophrastus¹ we find such a super-
 human brilliance of style that his name is said to be
 derived therefrom. The ancient Stoics indulged 84
 their eloquence comparatively little. Still, they
 pleaded the cause of virtue, and the rules which
 they laid down for argument and proof have been of
 the utmost value. But they showed themselves
 shrewd thinkers rather than striking orators, which
 indeed they never aimed at being.

I now come to Roman authors, and shall follow 85
 the same order in dealing with them. As among
 Greek authors Homer provided us with the most
 auspicious opening, so will Virgil among our own.
 For of all epic poets, Greek or Roman, he, without
 doubt, most nearly approaches to Homer. I will 86
 repeat the words which I heard Domitius Afer use
 in my young days. I asked what poet in his opinion
 came nearest to Homer, and he replied, "Virgil
 comes second, but is nearer first than third." And
 in truth, although we must needs bow before the
 immortal and superhuman genius of Homer, there
 is greater diligence and exactness in the work
 of Virgil just because his task was harder. And
 perhaps the superior uniformity of the Roman's ex-
 cellence balances Homer's pre-eminence in his out-
 standing passages. All our other poets follow a long 87
 way in the rear. Macer and Lucretius are, it is true,
 worth reading, but not for the purpose of forming
 style, that is to say, the body of eloquence: both
 deal elegantly with their themes, but the former is
 tame and the latter difficult. The poems by which
 Varro of Atax² gained his reputation were transla-
 tions, but he is by no means to be despised, although
 his diction is not sufficiently rich to be of much

BOOK X. i. 87-91

service in developing the resources of eloquence. Ennius deserves our reverence, but only as those 88 groves whose age has made them sacred, but whose huge and ancient trunks inspire us with religious awe rather than with admiration for their beauty. There are other poets who are nearer in point of time and more useful for our present purpose. Quid has a lack of seriousness even when he writes epic and is unduly enamoured of his own gifts, but portions of his work merit our praise. On the other 89 hand, although Cornelius Severus¹ is a better versifier than poet, yet if, as has been said, he had written his poem on the Sicilian war in the same style throughout as his first book, he would have had a just claim to the second place. A premature death prevented the powers of Serranus² from ripening to perfection, but his youthful works reveal the highest talent and a devotion to the true ideal of poetry, which is remarkable in one so young. We have suffered serious loss 90 in the recent death of Valerius Flaccus. Saleius Bassus³ showed an ardent and genuinely poetic genius, but, like that of Serranus, it was not mellowed by years. Rabirius⁴ and Peto⁵ deserve to be studied by those who have the time. Lucan is fiery and passionate and remarkable for the grandeur of his general reflexions, but, to be frank, I consider that he is more suitable for imitation by the orator than by the poet. I have restricted my 91 list of poets to these names, because Germanicus

⁴ A contemporary of Ovid, believed to be the author of a fragment on the battle of Actium, found at Herculaneum.

⁵ C. Albinovanus Peto wrote a poem on the voyage of Germanicus to the north of Germany. A fragment is preserved by Sen. *Suas.* i. 14.

BOOK X. 1. 91-94

Augustus¹ has been distracted from the study of poetry on which he had embarked by his care for the governance of the world, and the gods have thought it scarce worthy of his powers that he should be the greatest of poets. But what can be more sublime, more learned, more perfect in every detail than those works to which he devoted himself in the seclusion to which he retired after conferring the supreme power upon his father and his brother? Who could sing of war better than he who wages it with such skill? To whom would the goddesses that preside over literature sooner lend an ear? To whom would Minerva, his familiar deity,² more readily reveal her secrets? Future ages shall tell of⁹² these things more fully; to-day his glory as a poet is dimmed by the splendour of his other virtues. But you will forgive us, Caesar, who worship at the shrine of literature, if we refuse to pass by your achievements in silence and insist on testifying at least that, as Virgil sings,

“The ivy creeps amid your victor bays.”³

We also challenge the supremacy of the Greeks in⁹³ elegy. Of our elegiac poets Tibullus seems to me to be the most terse and elegant. There are, however, some who prefer Propertius. Ovid is more sportive than either, while Gallus⁴ is more severe. Satire, on the other hand, is all our own. The first of our poets to win renown in this connexion was Lucilius, some of whose devotees are so enthusiastic that they do not hesitate to prefer him not merely to all other satirists, but even to all other poets. I disagree with them as much as I do with Horace,⁵⁹⁴ who holds that Lucilius' verse has a “muddy flow,

BOOK X. 1. 94-96

and that there is always something in him that might well be dispensed with." For his learning is as remarkable as his freedom of speech, and it is this latter quality that gives so sharp an edge and such abundance of wit to his satire. Horace is far terser and purer in style, and must be awarded the first place, unless my judgment is led astray by my affection for his work. Persius also, although he wrote but one book, has acquired a high and well-deserved reputation, while there are other distinguished satirists still living whose praises will be sung by posterity. There is, however, another 95 and even older type of satire which derives its variety not merely from verse, but from an admixture of prose as well. Such were the satires composed by Terentius Varro,¹ the most learned of all Romans. He composed a vast number of erudite works, and possessed an extraordinary knowledge of the Latin language, of all antiquity and of the history of Greece and Rome. But he is an author likely to contribute more to the knowledge of the student than to his eloquence. The 96 iambic has not been popular with Roman poets as a separate form of composition, but is found mixed up with other forms of verse.² It may be found in all its bitterness in Catullus, Bibaculus³ and Horace, although in the last-named the iambic is interrupted by the epode.⁴ Of our lyric writers Horace is almost the sole poet worth reading: for he rises at times to a lofty grandeur and is full of sprightliness and charm, while there is great variety in his figures, and his boldness in the choice of words is only equalled by his felicity. If any other lyric poet is to be mentioned, it will be Caesius Bassus, who has but

lately passed from us. But he is far surpassed in talent by poets still living.

Among writers of tragedy Accius and Pacuvius¹ 97 are most remarkable for the force of their general reflexions, the weight of their words and the dignity of their characters. But they lack polish, and failed to put the finishing touches on their works, although the fault was perhaps rather that of the times in which they lived than of themselves. Accius is generally regarded as the most vigorous, while those who lay claim to learning regard Pacuvius as the more learned of the two. The Thyestes of Varius² 98 is a match for any Greek tragedy, and the Medea of Ovid shows, in my opinion, to what heights that poet might have risen if he had been ready to curb his talents instead of indulging them. Of the tragic writers whom I myself have seen, Pomponius Secundus³ is by far the best: his older critics thought him insufficiently tragic, but admitted his eminence as far as learning and polish were concerned. Comedy 99 is our weakest point. Although Varro quotes Aelius Stilo⁴ as saying that if the Muses wished to speak Latin, they would use the language of Plautus, although the ancients extol Caecilius,⁵ and although Scipio Africanus is credited with the works of Terence (which are the most elegant of their kind, and would be still more graceful if the poet had confined himself to the iambic trimeter), we still 100 scarcely succeed in reproducing even a faint shadow of the charm of Greek comedy. Indeed, it seems to me as though the language of Rome were incapable of reproducing that graceful wit which was

¹ Caecilius (219-166), Terence (194-159), Afranius (flor. circ. 150). Only fragments of Caecilius and Afranius remain.

BOOK X. 1. 100-104

granted to Athens alone, and was beyond the reach of other Greek dialects to achieve. Afranius¹ excels in the purely Roman comedy, but it is to be regretted that he revealed his own character by defiling his plots with the introduction of indecent paederastic intrigues.

In history, however, we hold our own with the 101
Greeks. I should not hesitate to match Sallust against Thucydides, nor would Herodotus resent Titus Livius being placed on the same level as himself. For the latter has a wonderful charm and transparency in narrative, while his speeches are eloquent beyond description; so admirably adapted is all that is said both to the circumstances and the speaker; and as regards the emotions, especially the more pleasing of them, I may sum him up by saying that no historian has ever depicted them to greater perfection. Thus it is that, although by 102
different means, he has acquired no less fame than has been awarded to the immortal rapidity of Sallust. For I strongly approve of the saying of Servilius Nonianus,² that these historians were equal rather than alike. Servilius, whom I myself have heard, is himself remarkable for the force of his intellect, and is full of general reflexions, but he is less restrained than the dignity of history demands. But 103
that dignity is admirably maintained, thanks to his style, by Aufidius Bassus,³ a slightly earlier writer, especially in his work on the German war: he is always praiseworthy, though at times he fails to do his powers full justice. But there still survives to 104
add lustre to this glorious age a man⁴ worthy to be remembered through all time: he is appreciated to-day, but after generations shall declare his name

BOOK X. 1. 104-107

aloud. The bold utterances of Cremutius¹ also have their admirers, and deserve their fame, though the passages which brought him to his ruin have been expurgated; still that which is left reveals a rich store of lofty animation and fearless reflexions upon life. There are other good writers as well, but I am merely selecting from the different departments of literature, not reviewing complete libraries.

But it is our orators, above all, who enable us to 105
match our Roman eloquence against that of Greece. ✕
For I would set Cicero against any one of their
orators without fear of refutation. I know well
enough what a storm I shall raise by this assertion,
more especially since I do not propose for the
moment² to compare him with Demosthenes; for
there would be no point in such a comparison, as I
consider that Demosthenes should be the object of
special study, and not merely studied, but even com-
mitted to memory. I regard the excellences of these 106
two orators as being for the most part similar, that
is to say, their judgment, their gift of arrangement,
their methods of division, preparation and proof, as
well as everything concerned with invention. In
their actual style there is some difference. Demos-
thenes is more concentrated, Cicero more diffuse;
Demosthenes makes his periods shorter than Cicero,
and his weapon is the rapier, whereas Cicero's periods
are longer, and at times he employs the bludgeon as
well: nothing can be taken from the former, nor
added to the latter; the Greek reveals a more
studied, the Roman a more natural art.) As regards 107
wit and the power of exciting pity, the two most
powerful instruments where the feelings are con-
cerned, we have the advantage. Again, it is possible

BOOK X. 1. 107-111

that Demosthenes was deprived by national custom¹ of the opportunity of producing powerful perorations, but against this may be set the fact that the different character of the Latin language debars us from the attainment of those qualities which are so much admired by the adherents of the Attic school. As regards their letters, which have in both cases survived, and dialogues, which Demosthenes never attempted, there can be no comparison between the two. But, on the other hand, there is 108 one point in which the Greek has the undoubted superiority: he comes first in point of time, and it was largely due to him that Cicero was able to attain greatness. For it seems to me that Cicero, who devoted himself heart and soul to the imitation of the Greeks, succeeded in reproducing the force of Demosthenes, the copious flow of Plato, and the charm of Isocrates. But he did something more 109 than reproduce the best elements in each of these authors by dint of careful study; it was to himself that he owed most of, or rather all his excellences, which spring from the extraordinary fertility of his immortal genius. For he does not, as Pindar² says, "collect the rain from heaven, but wells forth with living water," since Providence at his birth conferred this special privilege upon him, that eloquence should make trial of all her powers in him. For who can 110 instruct with greater thoroughness, or more deeply stir the emotions? Who has ever possessed such a gift of charm? He seems to obtain as a boon what in reality he extorts by force, and when he wrests the judge from the path of his own judgment, the latter seems not to be swept away, but merely to follow. Further, there is such weight in all that he 111

says that his audience feel ~~ashamed~~ to disagree with him, and the zeal of the advocate is so transfigured that it has the effect of the sworn evidence of a witness, or the verdict of a judge. And at the same time all these excellences, of which scarce one could be attained by the ordinary man even by the most concentrated effort, flow from him with every appearance of spontaneity, and his style, although no fairer has ever fallen on the ears of men, none the less displays the utmost felicity and ease. It was not, 112 therefore, without good reason that his own contemporaries spoke of his "sovereignty" at the bar, and that for posterity the name of Cicero has come to be regarded not as the name of a man, but as the name of eloquence itself. Let us, therefore, fix our eyes on him, take him as our pattern, and let the student realise that he has made real progress if he is a passionate admirer of Cicero. Asinius Pollio¹ had great gifts of 113 invention and great precision of language (indeed, some think him too precise), while his judgment and spirit were fully adequate. But he is so far from equalling the polish and charm of Cicero that he might have been born a generation before him. Messala,² on the other hand, is polished and transparent and displays his nobility in his utterance, but he fails to do his powers full justice. As 114 for Gaius Caesar, if he had had leisure to devote himself to the courts, he would have been the one orator who could have been considered a serious rival to Cicero. Such are his force, his penetration and his energy that we realise that he was as vigorous in speech as in his conduct of war. And yet all these qualities are enhanced by a marvellous elegance of language, of which he was an exceptionally zealous

BOOK X. I. 114-118

student. Caelius¹ has much natural talent and much 115
 wit, more especially when speaking for the prosecution, and deserved a wiser mind and a longer life. I have come across some critics who preferred Calvus² to all other orators, and others again who agreed with Cicero that too severe self-criticism had robbed him of his natural vigour. But he was the possessor of a solemn, weighty and chastened style, which was also capable at times of genuine vehemence. He was an adherent of the Attic school and an untimely death deprived him of his full meed of honour, at least if we regard him as likely to have acquired fresh qualities. Servius Sulpicius³ acquired 116
 a great and well-deserved reputation by his three speeches. Cassius Severus,⁴ if read with discrimination, will provide much that is worthy of imitation: if to his other merits he had added appropriateness of tone and dignity of style, he would deserve a 117
 place among the greatest. For his natural talents are great, his gift of bitterness, wit and passion remarkable, but he allowed the sharpness of his temper to prevail over his judgment. Moreover, though his jests are pungent enough, this very pungency often turned the laugh against himself. There are many other clever speakers, but it 118
 would be a long task to deal with them all. Domitius Afer⁵ and Julius Africanus⁶ are by far the most distinguished. The former is superior in art and in every department of oratory, indeed he may be ranked with the old orators without fear of contra-

⁵ Domitius Afer (*d.* 59 A.D.), the leading orator of the reigns of Tiberius and his successors.

⁶ Julius Africanus, a Gaul, who flourished in the reign of Nero.

diction. The latter shows greater energy, but is too great a precision in the choice of words, prone to tediously long periods and somewhat extravagant in his metaphors. There have been distinguished talents even of more recent date. For example, 119 Trachalus¹ was, as a rule, elevated and sufficiently clear in his language: one realised that his aims were high, but he was better to listen to than to read. For his voice was, in my experience, unique in its beauty of tone, while his delivery would have done credit to an actor, his action was full of grace and he possessed every external advantage in profusion. Vibius Crispus,² again, was well-balanced, agreeable and born to charm, though he was better in private than in public cases. Julius Secundus,³ 120 had he lived longer, would undoubtedly have attained a great and enduring reputation. For he would have acquired, as he was actually acquiring, all that was lacking to his qualities, namely, a far greater pugnacity and a closer attention to substance as well as form. But, in spite of the untimeliness of his end, 121 he occupies a high place, thanks to his fluency, the grace with which he set forth whatever he desired, the lucidity, smoothness and beauty of his speech, the propriety revealed in the use of words, even when employed figuratively, and the point which characterises even his most hazardous expressions. Subsequent writers on the history of oratory will 122 find abundant material for praise among the orators who flourish to-day: for the law courts can boast a glorious wealth of talent. Indeed, the consummate advocates of the present day are serious rivals of the ancients, while enthusiastic effort and lofty ideals lead many a young student

BOOK X. I. 122-126

to tread in their footsteps and imitate their excellence.

I have still to deal with writers on philosophy, 123 of whom Rome has so far produced but few who are distinguished for their style. But Cicero, who is great in every department of literature, stands out as the rival of Plato in this department as well. Brutus¹ was an admirable writer on such themes, in which he distinguished himself far more than in his speeches: he is equal to the serious nature of his subject, and the reader realises that he feels what he says. Cornelius Celsus,² a follower of the Sextii,³ 124 wrote a number of philosophical works, which have considerable grace and polish. Among the Stoics Plautus⁴ is useful as giving a knowledge of the subject. Among the Epicureans Catius⁵ is agreeable to read, though lacking in weight. I have 125 deliberately postponed the discussion of Seneca in connexion with the various departments of literature owing to the fact that there is a general, though false, impression that I condemn and even detest him. It is true that I had occasion to pass censure upon him when I was endeavouring to recall students from a depraved style, weakened by every kind of error, to a severer standard of taste. But 126 at that time Seneca's works were in the hands of every young man, and my aim was not to ban his reading altogether, but to prevent his being preferred to authors superior to himself, but whom he was never tired of disparaging; for, being conscious of the fact that his own style was very different

⁵ A contemporary of Cicero, who speaks of him somewhat contemptuously. He wrote four books *de rerum natura et de summo bono*.

from theirs, he was afraid that he would fail to please those who admired them. But the young men loved him rather than imitated him, and fell as far below him as he fell below the ancients. For 127 I only wish they had equalled or at least approached his level. But he pleased them for his faults alone, and each individual sought to imitate such of those faults as lay within his capacity to reproduce : and then brought reproach on his master by boasting that he spoke in the genuine Senecan manner. Seneca had many excellent qualities, a quick and 128 fertile intelligence with great industry and wide knowledge, though as regards the last quality he was often led into error by those whom he had entrusted with the task of investigating certain subjects on his behalf. He dealt with almost every 129 department of knowledge ; for speeches, poems, letters and dialogues all circulate under his name. In philosophy he showed a lack of critical power, but was none the less quite admirable in his denunciations of vice. His works contain a number of striking general reflexions and much that is worth reading for edification ; but his style is for the most part corrupt and exceedingly dangerous, for the very reason that its vices are so many and attractive. One could wish that, while he relied on 130 his own intelligence, he had allowed himself to be guided by the taste of others. For if he had only despised all unnatural expressions and had not been so passionately fond of all that was incorrect, if he had not felt such affection for all that was his own, and had not impaired the solidity of his matter by striving after epigrammatic brevity, he would have won the approval of the learned instead of the

enthusiasm of boys. But even as it is, he deserves 131 to be read by those whose powers have been formed and firmly moulded on the standards of a severer taste, if only because he will exercise their critical faculties in distinguishing between his merits and his defects. For, as I have said, there is much in him which we may approve, much even that we may admire. Only we must be careful in our selection: would he had been as careful himself. For his genius deserved to be devoted to better aims, since what it does actually aim at, it succeeds in achieving.

II. It is from these and other authors worthy of our study that we must draw our stock of words, the variety of our figures and our methods of composition, while we must form our minds on the model of every excellence. For there can be no doubt that in art no small portion of our task lies in imitation, since, although invention came first and is all-important, it is expedient to imitate whatever has been invented with success. And it is a universal rule of life that we should wish to copy what we approve in others. It is for this reason that boys copy the shapes of letters that they may learn to write, and that musicians take the voices of their teachers, painters the works of their predecessors, and peasants the principles of agriculture which have been proved in practice, as models for their imitation. In fact, we may note that the elementary study of every branch of learning is directed by reference to some definite standard that is placed before the learner. We 3 must, in fact, either be like or unlike those who have proved their excellence. It is rare for nature to produce such resemblance, which is more often the result of imitation. But the very fact that in

BOOK X. II. 3-7

every subject the procedure to be followed is so much more easy for us than it was for those who had no model to guide them, is a positive drawback, unless we use this dubious advantage with caution and judgment.

The first point, then, that we must realise is that imitation alone is not sufficient, if only for the reason that a sluggish nature is only too ready to rest content with the inventions of others. For what would have happened in the days when models were not, if men had decided to do and think of nothing that they did not know already? The answer is obvious: nothing would ever have been discovered. Why, then, is it a crime for us to discover something new? Were primitive men led to make so many discoveries simply by the natural force of their imagination, and shall we not then be spurred on to search for novelty by the very knowledge that those who sought of old were rewarded by success? And seeing that they, who had none to teach them anything, have handed down such store of knowledge to posterity, shall we refuse to employ the experience which we possess of some things, to discover yet other things, and possess nought that is not owed to the beneficent activity of others? Shall we follow the example of those painters whose sole aim is to be able to copy pictures by using the ruler and the measuring rod?¹ It is a positive disgrace to be content to owe all our achievement to imitation. For what, I ask again, would have been the result if no one had done more than his predecessors? Livius Andronicus² would mark our supreme achievement in poetry and the annals of the *Pontifices*³ would be our *ne plus ultra* in history. We

BOOK X. II. 7-11

should still be sailing on rafts, and the art of painting would be restricted to tracing a line round a shadow thrown in the sunlight. Cast your eyes over the whole of history; you will find that no art has remained just as it was when it was discovered, nor come to a standstill at its very birth, unless indeed we are ready to pass special condemnation on our own generation on the ground that it is so barren of invention that no further development is possible; and it is undoubtedly true that no development is possible for those who restrict themselves to imitation. But if we are forbidden to add anything to the existing stock of knowledge, how can we ever hope for the birth of our ideal orator? For of all the greatest orators with whom we are as yet acquainted, there is not one who has not some deficiency or blemish. And even those who do not aim at supreme excellence, ought to press toward the mark rather than be content to follow in the tracks of others. For the man whose aim is to prove himself better than another, even if he does not surpass him, may hope to equal him. But he can never hope to equal him, if he thinks it his duty merely to tread in his footsteps: for the mere follower must always lag behind. Further, it is generally easier to make some advance than to repeat what has been done by others, since there is nothing harder than to produce an exact likeness, and nature herself has so far failed in this endeavour that there is always some difference which enables us to distinguish even the things which seem most like and most equal to one another. Again, whatever is like another object, must necessarily be inferior to the object of its imitation, just as the

BOOK X. II. II-14

shadow is inferior to the substance, the portrait to the features which it portrays, and the acting of the player to the feelings which he endeavours to reproduce. The same is true of oratory. For the models which we select for imitation have a genuine and natural force, whereas all imitation is artificial and moulded to a purpose which was not that of the original orator. This is the reason why declamations¹² have less life and vigour than actual speeches, since the subject is fictitious in the one and real in the other. Again, the greatest qualities of the orator are beyond all imitation, by which I mean, talent, invention, force, facility and all the qualities which are independent of art. Consequently, there are¹³ many who, after excerpting certain words from published speeches or borrowing certain particular rhythms, think that they have produced a perfect copy of the works which they have read, despite the fact that words become obsolete or current with the lapse of years, the one sure standard being contemporary usage; and they are not good or bad in virtue of their inherent nature (for in themselves they are no more than mere sounds), but solely in virtue of the aptitude and propriety (or the reverse) with which they are arranged, while rhythmical composition must be adapted to the theme in hand and will derive its main charm from its variety.

Consequently the nicest judgment is required in¹⁴ the examination of everything connected with this department of study. First we must consider whom to imitate. For there are many who have shown a passionate desire to imitate the worst and most decadent authors. Secondly, we must consider what

BOOK X. II. 14-17

it is that we should set ourselves to imitate in the authors thus chosen. For even great authors have 15 their blemishes, for which they have been censured by competent critics and have even reproached each other. I only wish that imitators were more likely to improve on the good things than to exaggerate the blemishes of the authors whom they seek to copy. And even those who have sufficient critical acumen to avoid the faults of their models will not find it sufficient to produce a copy of their merits, amounting to no more than a superficial resemblance, or rather recalling those sloughs which, according to Epicurus, are continually given off by material things.¹ But this is just what happens to those who mould 16 themselves on the first impressions derived from the style of their model, without devoting themselves to a thorough investigation of its good qualities, and, despite the brilliance of their imitation and the close resemblance of their language and rhythm, not only fail absolutely to attain the force of style and invention possessed by the original, but as a rule degenerate into something worse, and achieve merely those faults which are hardest to distinguish from virtues: they are turgid instead of grand, bald instead of concise, and rash instead of courageous, while extravagance takes the place of wealth, over-emphasis the place of harmony and negligence of simplicity. As a result, 17 those who flaunt tasteless and insipid thoughts, couched in an uncouth and inharmonious form, think that they are the equals of the ancients; those who lack ornament and epigram, pose as Attic; those who darken their meaning by the abruptness with which they close their periods, count themselves the superiors of Sallust and Thucydides; those who are

dreary and jejune, think that they are serious rivals to Pollio, while those who are tame and listless, if only they can produce long enough periods, swear that this is just the manner in which Cicero would have spoken. I have known some who thought that 18 they had produced a brilliant imitation of the style of that divine orator, by ending their periods with the phrase *esse videatur*.¹ Consequently it is of the first importance that every student should realise what it is that he is to imitate, and should know why it is good.

The next step is for each student to consult his 19 own powers when he shoulders his burden. For there are some things which, though capable of imitation, may be beyond the capacity of any given individual, either because his natural gifts are insufficient or of a different character. The man whose talent is for the plain style should not seek only what is bold and rugged, nor yet should he who has vigour without control suffer himself through love of subtlety at once to waste his natural energy and fail to attain the elegance at which he aims: for there is nothing so unbecoming as delicacy wedded to ruggedness. True, I did express the opinion 20 that the instructor whose portrait I painted in my second book,² should not confine himself to teaching those things for which he perceived his individual pupils to have most aptitude. For it is his further duty to foster whatever good qualities he may perceive in his pupils, to make good their deficiencies as far as may be, to correct their faults and turn them to better things. For he is the guide and director of the minds of others. It is a harder task to mould one's own nature. But not even our 21

ideal teacher, however much he may desire that everything that is correct should prevail in his school to the fullest extent, will waste his labour in attempting to develop qualities to the attainment of which he perceives nature's gifts to be opposed.

It is also necessary to avoid the fault to which the majority of students are so prone, namely, the idea that in composing speeches we should imitate the poets and historians, and in writing history or poetry should copy orators and declaimers. Each branch of literature has its own laws and its own appropriate character. Comedy does not seek to increase its height by the buskin and tragedy does not wear the slipper of comedy. But all forms of eloquence have something in common, and it is to the imitation of this common element that our efforts should be confined.

There is a further fault to which those persons are liable who devote themselves entirely to the imitation of one particular style: if the rude vigour of some particular author takes their fancy, they cling to it even when the case on which they are engaged calls for an easy and flowing style; if, on the other hand, it is a simple or agreeable style that claims their devotion, they fail to meet the heavy demands of severe and weighty cases. For not only do cases differ in their general aspect, but one part of a case may differ from another, and some things require a gentle and others a violent style, some require an impetuous and others a calm diction, while in some cases it is necessary to instruct and in others to move the audience, in all these instances dissimilar and different methods being necessary. Consequently I should be reluctant even to advise a

student to select one particular author to follow through thick and thin. Demosthenes is by far the most perfect of Greek orators, yet there are some things which others have said better in some contexts as against the many things which he has said better than others. But it does not follow that because we should select one author for special imitation, he should be our only model. What then? Is it not 25 sufficient to model our every utterance on Cicero? For my own part, I should consider it sufficient, if I could always imitate him successfully. But what harm is there in occasionally borrowing the vigour of Caesar, the vehemence of Caelius, the precision of Pollio or the sound judgment of Calvus? For quite 26 apart from the fact that a wise man should always, if possible, make whatever is best in each individual author his own, we shall find that, in view of the extreme difficulty of our subject, those who fix their eyes on one model only will always find some one quality which it is almost impossible to acquire therefrom. Consequently, since it is practically impossible for mortal powers to produce a perfect and complete copy of any one chosen author, we shall do well to keep a number of different excellences before our eyes, so that different qualities from different authors may impress themselves on our minds, to be adopted for use in the place that becomes them best.

But imitation (for I must repeat this point again 27 and again) should not be confined merely to words. We must consider the appropriateness with which those orators handle the circumstances and persons involved in the various cases in which they were engaged, and observe the judgment and powers of arrangement which they reveal, and the manner

in which everything they say, not excepting those portions of their speeches which seem designed merely to delight their audience, is concentrated on securing the victory over their opponents. We must note their procedure in the exordium, the method and variety of their statement of facts, the power displayed in proof and refutation, the skill revealed in their appeal to every kind of emotion, and the manner in which they make use of popular applause to serve their case, applause which is most honourable when it is spontaneous and not deliberately courted. If we have thoroughly appreciated all these points, we shall be able to imitate our models with accuracy. But the man who to these good qualities 28 adds his own, that is to say, who makes good deficiencies and cuts down whatever is redundant, will be the perfect orator of our search; and it is now above all times that such perfection should be attained when there are before us so many more models of oratorical excellence than were available for those who have thus far achieved the highest success. For this glory also shall be theirs, that men shall say of them that while they surpassed their predecessors, they also taught those who came after.

III. Such are the aids which we may derive from which external sources; as regards those which in this supply for ourselves, it is the pen which we must use: we 5 once the most labour and the most refuse to give a fully justified in describing it at the moment that and teacher of eloquence, criticise the fruits of that in the *de Oratore*¹ we approved, arrange judgment by the authority select both thoughts whose mouth he places one by one. This done,

therefore write as much as possible and with the utmost care. For as deep ploughing makes the soil more fertile for the production and support of crops, so, if we improve our minds by something more than mere superficial study, we shall produce a richer growth of knowledge and shall retain it with greater accuracy. For without the consciousness of such preliminary study our powers of speaking extempore will give us nothing but an empty flow of words, springing from the lips and not from the brain. It is in writing that eloquence has its roots and foundations, it is writing that provides that holy of holies where the wealth of oratory is stored, and whence it is produced to meet the demands of sudden emergencies. It is of the first importance that we should develop such strength as will not faint under the toil of forensic strife nor be exhausted by continual use. For it is an ordinance of nature that nothing great can be achieved in a moment, and that all the fairest tasks are attended with difficulty, while on births as well she has imposed this law, that the larger the animal, the longer should be the period of gestation. 3 4

There are, however, two questions which present themselves in this connexion, namely, what should be our method and what the subjects on which we write, and I propose to treat them in this order. At first, our pen must be slow yet sure: we must search for what is best and refuse to give a joyful welcome to every thought the moment that it presents itself; we must first criticise the fruits of our imagination, and then, once approved, arrange them with care. For we must select both thoughts and words and weigh them one by one. This done, 5

BOOK X. III. 5-9

we must consider the order in which they should be placed, and must examine all the possible varieties of rhythm, refusing necessarily to place each word in the order in which it occurs to us. In order to do 6 this with the utmost care, we must frequently revise what we have just written. For beside the fact that thus we secure a better connexion between what follows and what precedes, the warmth of thought which has cooled down while we were writing is revived anew, and gathers fresh impetus from going over the ground again. We may compare this process with what occurs in jumping matches. The competitors take a longer run and go at full speed to clear the distance which they aim at covering; similarly, in throwing the javelin, we draw back our arms, and in archery pull back the bow-string to propel the shaft. At times, however, we may 7 spread our sails before the favouring breeze, but we must beware that this indulgence does not lead us into error. For we love all the offspring of our thought at the moment of their birth; were that not so, we should never commit them to writing. But we must give them a critical revision, and go carefully over any passage where we have reason to regard our fluency with suspicion. It is thus, we 8 are told, that Sallust wrote, and certainly his works give clear evidence of the labour which he expended on them. Again, we learn from Varius that Virgil composed but a very small number of verses every day. It is true that with orators the case is some- 9 what different, and it is for this reason that I enjoin such slowness of speed and such anxious care at the outset. For the first aim which we must fix in our minds and insist on carrying into execution

BOOK X. III. 9-12

is to write as well as possible; speed will come with practice. Gradually thoughts will suggest themselves with increasing readiness, the words will answer to our call and rhythmical arrangement will follow, till everything will be found fulfilling its proper function as in a well-ordered household. The sum of the whole matter is this: write quickly 10 and you will never write well, write well and you will soon write quickly. But it is just when we have acquired this facility that we must pause awhile to look ahead and, if I may use the metaphor, curb the horses that would run away with us. This will not delay our progress so much as lend us fresh vigour. For I do not think that those who have acquired a certain power in writing should be condemned to the barren pains of false self-criticism. How can anyone fulfil his duties as an advocate if he 11 wastes his time in putting unnecessary finish on each portion of his pleadings? There are some who are never satisfied. They wish to change everything they have written and to put it in other words. They are a diffident folk, and deserve but ill of their own talents, who think it a mark of precision to cast obstacles in the way of their own writing. Nor is it 12 easy to say which are the most serious offenders, those who are satisfied with everything or those who are satisfied with nothing that they write. For it is of common occurrence with young men, however talented they may be, to waste their gifts by superfluous elaboration, and to sink into silence through an excessive desire to speak well. I remember in this connexion a story that Julius Secundus, my contemporary, and, as is well known, my very dear friend, a man with remarkable powers of eloquence, but

with an infinite passion for precision, told me of the words once used to him by his uncle, Julius Florus, 13 the leading orator of Gaul, for it was there that he practised, a man eloquent as but few have ever been, and worthy of his nephew. He once noticed that Secundus, who was still a student, was looking depressed, and asked him the meaning of his frowns. The youth made no concealment of the reason: he 14 had been working for three days, and had been unable, in spite of all his efforts, to devise an exordium for the theme which he had been given to write, with the result that he was not only vexed over his immediate difficulty, but had lost all hope of future success. Florus smiled and said, "Do you really want to speak better than you can?" There 15 lies the truth of the whole matter. We must aim at speaking as well as we can, but must not try to speak better than our nature will permit. For to make any real advance we need study, not self-accusation. And it is not merely practice that will enable us to write at greater length and with increased fluency, although doubtless practice is most important. We need judgement as well. So long as we do not lie back with eyes turned up to the ceiling, trying to fire our imagination by muttering to ourselves, in the hope that something will present itself, but turn our thoughts to consider what the circumstances of the case demand, what suits the characters involved, what is the nature of the occasion and the temper of the judge, we shall acquire the power of writing by rational means. It is thus that nature herself bids us begin and pursue our studies once well begun. For most points are of a 16 definite character and, if we keep our eyes open,

BOOK X. III. 16-19

will spontaneously present themselves. That is the reason why (peasants and uneducated persons do not beat about the bush to discover with what they should begin, and our hesitation is all the more shameful if it is simply the result of education.) (We must not, ~~therefore~~, persist in thinking that what is hard to find is necessarily best;) for, if it seems to us that there is nothing to be said except that which we are unable to find, we must say nothing at all. On the other hand, there is a fault 17 which is precisely the opposite of this, into which those fall who insist on first making a rapid draft of their subject with the utmost speed of which their pen is capable, and write in the heat and impulse of the moment. They call this their rough copy. They then revise what they have written, and arrange their hasty outpourings. But while 18 the words and the rhythm may be corrected, the matter is still marked by the superficiality resulting from the speed with which it was thrown together. The more correct method is, therefore, to exercise 18 care from the very beginning, and to form the work from the outset in such a manner that it merely requires to be chiselled into shape, not fashioned anew. Sometimes, however, we must follow the stream of our emotions, since their warmth will give us more than any diligence can secure.

The condemnation which I have passed on such 19 carelessness in writing will make it pretty clear what my views are on the luxury of dictation which is now so fashionable. For, when we write, however great our speed, the fact that the hand cannot follow the rapidity of our thoughts gives us time to think,

whereas the presence of our amanuensis hurries us on, and at times we feel ashamed to hesitate or pause, or make some alteration, as though we were afraid to display such weakness before a witness. As a result our language tends not merely to be 20 haphazard and formless, but in our desire to produce a continuous flow we let slip positive improprieties of diction, which (show neither the precision of the writer nor the impetuosity of the speaker.) (Again, if the amanuensis is a slow writer, or lacking in intelligence, he becomes a stumbling-block, our speed is checked, and the thread of our ideas is interrupted) by the delay or even perhaps by the loss of 21 temper to which it gives rise. Moreover, the gestures which accompany strong feeling, and sometimes even serve to stimulate the mind, the waving of the hand, the contraction of the brow, the occasional striking of forehead or side, and those which Persius¹ notes when he describes a trivial style as one that

“Thumps not the desk nor smacks of bitten nails,”

all these become ridiculous, unless we are alone. Finally, we come to the most important consideration of all, that the advantages of privacy are lost 22 when we dictate. Everyone, however, will agree that (the absence of company and deep silence are most conducive to writing,) though I would not go so far as to concur in the opinion of those who think woods and groves the most suitable localities for the purpose, on the ground that the freedom of the sky and the charm of the surroundings produce sublimity of thought and wealth of inspiration. Personally I regard such an environment as a 23

pleasant luxury rather than a stimulus to study. For whatever causes us delight, must necessarily distract us from the concentration due to our work. The mind cannot devote its undivided and sincere attention to a number of things at the same time, and wherever it turns its gaze it must cease to contemplate its appointed task. Therefore, the 24 charm of the woods, the gliding of the stream, the breeze that murmurs in the branches, the song of birds, and the very freedom with which our eyes may range, are mere distractions, and in my opinion the pleasure which they excite is more likely to relax than to concentrate our attention. Demos- 25 thenes took a wiser view; for he would retire to a place¹ where no voice was to be heard, and no prospect greeted the sight, for fear that his eyes might force his mind to neglect its duty. Therefore, let the burner of the midnight oil seclude himself in the silence of night, within closed doors, with but a solitary lamp to light his labours. But 26 — for every kind of study, and more especially for night work, good health and its chief source, simple living, are essential; for we have fallen into the habit of devoting to relentless labour the hour which nature has appointed for rest and relaxation. From those hours we must take only such time as is superfluous for sleep, and will not be missed. For fatigue 27 will make us careless in writing, and the hours of daylight are amply sufficient for one who has no other distractions. It is only the busy man who is driven to encroach on the hours of darkness. Nevertheless, night work, so long as we come to it fresh and untired, provides by far the best form of privacy.

But although silence and seclusion and absolute 28
 freedom of mind are devoutly to be desired, they
 are not always within our power to attain. Con-
 sequently we must not fling aside our book at once,
 if disturbed by some noise, and lament that we
 have lost a day: on the contrary, we must make
 a firm stand against such inconveniences, and train
 ourselves so to concentrate our thoughts as to rise
 superior to all impediments to study. If only you
 direct all your attention to the work which you
 have in hand, no sight or sound will ever penetrate
 to your mind. If even casual thoughts often occupy 29
 us to such an extent that we do not see passers-by,
 or even stray from our path, surely we can obtain
 the same result by the exercise of our will. We
must not give way to pretexts for sloth. For unless
 we make up our mind that we must be fresh, cheer-
 ful and free from all other care when we approach our
 studies, we shall always find some excuse for idleness.
 Therefore, whether we be in a crowd, on a journey, 30
 or even at some festive gathering, our thoughts should
 always have some inner sanctuary of their own to
 which they may retire. Otherwise what shall we
 do when we are suddenly called upon to deliver
 a set speech in the midst of the forum, with law-
 suits in progress on every side, and with the sound
 of quarrels and even casual outcries in our ears, if
 we need absolute privacy to discover the thoughts
 which we jot down upon our tablets? It was for
 this reason that Demosthenes, the passionate lover
 of seclusion, used to study on the seashore amid the
 roar of the breakers that they might teach him not
 to be unnerved by the uproar of the public assembly.

There are also certain minor details which deserve 31

BOOK X. III. 31-IV. 1

our attention, for there is nothing too minute for the student. It is best to write on wax owing to the facility which it offers for erasure, though weak sight may make it desirable to employ parchment by preference. The latter, however, although of assistance to the eye, delays the hand and interrupts the stream of thought owing to the frequency with which the pen has to be supplied with ink. But 32 whichever we employ, we must leave blank pages that we may be free to make additions when we will. For lack of space at times gives rise to a reluctance to make corrections, or, at any rate, is liable to cause confusion when new matter is inserted. The wax tablets should not be unduly wide; for I have known a young and over-zealous student write his compositions at undue length, because he measured them by the number of lines, a fault which persisted, in spite of frequent admonition, until his tablets were changed, when it disappeared. Space must also be left for jotting 33 down the thoughts which occur to the writer out of due order, that is to say, which refer to subjects other than those in hand. For sometimes the most admirable thoughts break in upon us which cannot be inserted in what we are writing, but which, on the other hand, it is unsafe to put by, since they are at times forgotten, and at times cling to the memory so persistently as to divert us from some other line of thought. They are, therefore, best kept in store.

IV. The next point which we have to consider is the correction of our work, which is by far the most useful portion of our study: for there is good reason for the view that erasure is quite as important a

BOOK X. IV. 1-4

function of the pen as actual writing. Correction takes the form of addition, excision and alteration. But it is a comparatively simple and easy task to decide what is to be added or excised. On the other hand, to prune what is turgid, to elevate what is mean, to repress exuberance, arrange what is disorderly, introduce rhythm where it is lacking, and modify it where it is too emphatic, involves a twofold labour. For we have to condemn what had previously satisfied us and discover what had escaped our notice. There can be no doubt that the best 2 method of correction is to put aside what we have written for a certain time, so that when we return to it after an interval it will have the air of novelty and of being another's handiwork; for thus we may prevent ourselves from regarding our writings with all the affection that we lavish on a newborn child. But this is not always possible, especially in the case 3 of an orator who most frequently has to write for immediate use, while some limit, after all, must be set to correction. For there are some who return to everything they write with the presumption that it is full of faults and, assuming that a first draft must necessarily be incorrect, think every change an improvement and make some alteration as often as they have the manuscript in their hands: they are, in fact, like doctors who use the knife even where the flesh is perfectly healthy. The result of their critical activities is that the finished work is full of scars, bloodless, and all the worse for their anxious care. No! let there be something in all 4 our writing which, if it does not actually please us, at least passes muster, so that the file may only polish our work, not wear it away. There must

BOOK X. iv. 4-v. 3

also be a limit to the time which we spend on its revision. For the fact that Cinna¹ took nine years to write his *Smyrna*, and that Isocrates required ten years, at the lowest estimate, to complete his *Panegyric* does not concern the orator, whose assistance will be of no use, if it is so long delayed.

V. My next task is to indicate what those should write whose aim is to acquire facility.² At this part of my work there is no necessity for me to set forth the subjects which should be selected for writing, or the order in which they should be approached, since I have already done this in the first book,³ where I prescribed the sequence of studies for boys, and in the second book,⁴ where I did the same for young men. The point which concerns me now is to show from what sources copiousness and facility may most easily be derived.

Our earlier orators thought highly of translation from Greek into Latin. In the *de Oratore*⁵ of 2 Cicero, Lucius Crassus says that he practised this continually, while Cicero himself advocates it again and again, nay, he actually published translations of Xenophon and Plato,⁶ which were the result of this form of exercise. Messala likewise gave it his approval, and we have a number of translations of speeches from his hand; he even succeeded in coping with the delicacy of Hyperides' speech in defence of Phryne, a task of exceeding difficulty for a Roman. The purpose of this form of exercise is 3 obvious. For Greek authors are conspicuous for the variety of their matter, and there is much art in all their eloquence, while, when we translate them, we are at liberty to use the best words available,

since all that we use are our very own.¹ As regards figures, too, which are the chief ornament of oratory, it is necessary to think out a great number and variety for ourselves, since in this respect the Roman idiom differs largely from the Greek.

But paraphrase from the Latin will also be of much assistance, while I think we shall all agree that this is specially valuable with regard to poetry; indeed, it is said that the paraphrase of poetry was the sole form of exercise employed by Sulpicius. For the lofty inspiration of verse serves to elevate the orator's style and the bold license of poetic language does not preclude² our attempting to render the same words in the language natural to prose. Nay, we may add the vigour of oratory to the thoughts expressed by the poet, make good his omissions, and prune his diffuseness. But I would not have paraphrase restrict itself to the bare interpretation of the original: its duty is rather to rival and vie with the original in the expression of the same thoughts. Consequently, I disagree with those who forbid the student to paraphrase speeches of our own orators, on the ground that, since all the best expressions have already been appropriated, whatever we express differently must necessarily be a change for the worse. For it is always possible that we may discover expressions which are an improvement on those which have already been used, and nature did not make eloquence such a poor and starveling thing, that there should be only one adequate expression for any one theme. It can hardly be argued that, while the gestures of the actor are capable of imparting a wealth of varied meaning

BOOK X. v. 6-9

to the same words, the power of oratory is restricted to a narrower scope, so that when a thing has once been said, it is impossible to say anything else on the same theme. Why, even if it be granted that no new expression we discover can be better than or even equal to the old, it may, at any rate, be a good second. Do we not often speak twice, or 7 even more frequently, on the same subject, sometimes even to the extent of a number of sentences in succession? It will scarce be asserted that we must not match ourselves against others when we are permitted to match ourselves against ourselves. For if there were only one way in which anything could be satisfactorily expressed, we should be justified in thinking that the path to success had been sealed to us by our predecessors. But, as a matter of fact, the methods of expression still left us are innumerable, and many roads lead us to the same goal. Brevity and copiousness each 8 have their own peculiar grace, the merits of metaphor are one thing and of literalness another, and, while direct expression is most effective in one case, in another the best result is gained by a use of figures. Further, the exercise is valuable in virtue of its difficulty; and again, there is no better way of acquiring a thorough understanding of the greatest authors. For, instead of hurriedly running a careless eye over their writings, we handle each separate phrase and are forced to give it close examination, and we come to realise the greatness of their excellence from the very fact that we cannot imitate them.

Nor is it only the paraphrase of the works of 9 others that we shall find of advantage; much may

be gained from paraphrasing our own words in a number of different ways: for instance, we may specially select certain thoughts and recast them in the greatest variety of forms, just as a sculptor will fashion a number of different images from the same piece of wax. But it is the simplest subjects 10 which, in my opinion, will serve us best in our attempt to acquire facility. For our lack of talent may easily shelter itself behind the complicated mass of detail presented by persons, cases, circumstances of time and place, words and deeds, since the subjects which present themselves on all sides are so many that it will always be possible to lay hold of some one or other. True merit is revealed 11 by the power to expand what is naturally compressed, to amplify what is small, to lend variety to sameness, charm to the commonplace, and to say a quantity of good things about a very limited number of subjects.

For this purpose *indefinite questions*,¹ of the kind we call *theses*, will be found of the utmost service: in fact, Cicero² still exercised himself upon such themes after he had become the leading man in the state. Akin to these are the proof or refuta- 12 tion of general statements. For such statements are a kind of decree or rule, and whatever problem may arise from the thing, may equally arise from the decision passed upon the thing. Then there are commonplaces,³ which, as we know, have often been written by orators as a form of exercise. The man who has practised himself in giving full treatment to such simple and uncomplicated themes, will assuredly find his fluency increased in those subjects which admit of varied digression, and will be pre-

pared to deal with any case that may confront him, since all cases ultimately turn upon general questions. For what difference is there between the special case where Cornelius,¹ the tribune of the people, is charged with reading the text of a proposed law, and the general question whether it is *lése-majesté* for a magistrate himself to read the law which he proposes to the people; what does it matter whether we have to decide whether Milo was justified in killing Clodius, or whether it is justifiable to kill a man who has set an ambush for his slayer, or a citizen whose existence is a danger to the state, even though he has set no such ambush? What difference is there between the question whether it was an honourable act on the part of Cato to make over Marcia to Hortensius, or whether such an action is becoming to a virtuous man? It is on the guilt or innocence of specific persons that judgement is given, but it is on general principles that the case ultimately rests. As for declamations of the kind delivered in the schools of the rhetoricians, so long as they are in keeping with actual life and resemble speeches, they are most profitable to the student, not merely while he ² is still immature, for the reason that they simultaneously exercise the powers both of invention and arrangement, but even when he has finished his education and acquired a reputation in the courts. For they provide a richer diet from which eloquence derives nourishment and brilliance of complexion, and at the same time afford a refreshing variety after the continuous fatigues of forensic disputes. For the same reason, the wealth of language that marks the historian should be from time to time imported into portions of our written

BOOK X. v. 15-18

exercises, and we should indulge in the easy freedom of dialogue. Nay, it may even be advantageous to amuse ourselves with the writing of verse, just as athletes occasionally drop the severe régime of diet and exercise to which they are subjected and refresh themselves by taking a rest and indulging in more dainty and agreeable viands. Indeed, in my opinion, 16 one of the reasons why Cicero was enabled to shed such glory upon the art of speaking is to be found in his excursions to such bypaths of study. For if all our material was drawn solely from actions at law, our eloquence must needs lose its gloss, our limbs grow stiff, and the keen edge of the intellect be blunted by its daily combats.

But although those who find their practice in the 17 contests of forensic warfare derive fresh strength and repair their forces by means of this rich fare of eloquence, the young should not be kept too long at these false semblances of reality, nor should they be allowed to become so familiar with these empty shadows that it is difficult for them to leave them: otherwise there is always the danger that, owing to the seclusion in which they have almost grown 18 old, they will shrink in terror from the real perils of public life, like men dazzled by the unfamiliar sunlight. Indeed it is recorded that this fate actually befell Marcus Porcius Latro, the first professor of rhetoric to make a name for himself; for when, at the height of his fame in the schools, he was called upon to plead a case in the forum, he put forward the most earnest request that the court should be transferred to some public hall. He was so unaccustomed to speak in the open air that all his eloquence seemed to reside within the compass of a

roof and four walls. For this reason a young man 19 who has acquired a thorough knowledge from his instructors of the methods of invention and style (which is not by any means an endless task, if those instructors have the knowledge and the will to teach), and who has also managed to obtain a reasonable amount of practice in the art, should follow the custom in vogue with our ancestors, and select some one orator to follow and imitate. He should attend as many trials as possible and be a frequent spectator of the conflicts in which he is destined to take part. Next he should write out 20 speeches of his own dealing either with the cases which he has actually heard pleaded or with others, provided always they be actual cases, and should argue them from both sides, training himself with the real weapons of his warfare, just as gladiators do or as Brutus did in that speech in defence of Milo which I have already mentioned.¹ This is better than writing replies to old speeches, as Cestius did to Cicero's defence of Milo in spite of the fact that, his knowledge being confined to what was said for the defence, he could not have possessed sufficient acquaintance with the other side of the case.

The young man, however, whom his instructor has 21 compelled to be as realistic as possible in declamation, and to deal with every class of subject, instead of merely selecting the easiest and most attractive cases, as is done at present, will thus qualify himself much more rapidly for actual forensic practice. Under existing circumstances the practice of the principle² which I mentioned second is, as a rule, hampered by the large size of the classes and the practice of allotting certain days for recitation, to which must be added

the contributory circumstance that the boys' parents are more interested in the number of their sons' recitations than their quality. But, as I think I said 22 in the first book,¹ the really good teacher will not burden himself with a larger number of pupils than he can manage, and will prune any tendency to excessive loquacity, limiting their remarks to the actual points involved by the subject of the declamation and forbidding them to range, as some would have them do, over every subject in heaven and earth: further, he will either extend the period within which he insists on their speaking, or will permit them to divide their themes into several portions. The thorough treatment of one theme 23 will be more profitable than the sketchy and superficial treatment of a number of subjects. For the latter practice has the result that nothing is put in its proper place and that the opening of the declamation exceeds all reasonable bounds, since the young orator crams all the flowers of eloquence which belong to all the different portions of the theme into that portion which he has to deliver, and fearing to lose what should naturally come later, introduces wild confusion into the earlier portions of his speech.

VI. Having dealt with writing, the next point which claims our attention is ~~premeditation~~, which itself derives force from the practice of writing and forms an intermediate stage between the labours of the pen and the more precarious fortunes of improvisation; indeed I am not sure that it is not more frequently of use than either. For there are places and occasions where writing is impossible, while both are available in abundance for premeditation. For

but a few hours' thought will suffice to cover all the points even of cases of importance; if we wake at night, the very darkness will assist us, while even in the midst of legal proceedings our mind will find some vacant space for meditation, and will refuse to remain inactive. Again, this practice will not merely 2. secure the proper arrangement of our matter without any recourse to writing, which in itself is no small achievement, but will also set the words which we are going to use in their proper order, and bring the general texture of our speech to such a stage of completion that nothing further is required beyond the finishing touches. And as a rule the memory is more retentive of thoughts when the attention has not been relaxed by the fancied security which results from committing them to writing.

But the concentration which this requires cannot be attained in a moment or even quickly. For, in the first place, we must write much before we can form that ideal of style which must always be present to our minds even when engaged in pre-meditation. Secondly, we must gradually acquire the habit of thought: to begin with, we shall content ourselves with covering but a few details, which our minds are capable of reproducing with accuracy; then by advances so gradual that our labour is not sensibly increased we must develop our powers and confirm them by frequent practice, a task in which the most important part is played by the memory. For this reason I must postpone some of my remarks 4 to the portion of this work reserved for the treatment of that topic.¹ At length, however, our powers will have developed so far that the man who is not hampered by lack of natural ability will by dint of

BOOK X. vi. 4-7

persistent study be enabled, when it comes to speaking, to rely no less on what he has thought out than what he has written out and learnt by heart. At any rate, Cicero records that Metrodorus of Scepsis,¹ Empylus of Rhodes,² and our own Hortensius³ were able to reproduce what they had thought out word for word when it came to actual pleading.

If, however, some brilliant improvisation should 5 occur to us while speaking, we must not cling superstitiously to our premeditated scheme. For premeditation is not so accurate as to leave no room for happy inspiration: even when writing we often insert thoughts which occur to us on the spur of the moment. Consequently this form of preparation must be conceived on such lines that we shall find no difficulty either in departing from it or returning to it at will. For, although it is essential to bring 6 with us into court a supply of eloquence which has been prepared in advance in the study and on which we can confidently rely, there is no greater folly than the rejection of the gifts of the moment. Therefore our premeditation should be such that fortune may never be able to fool us, but may, on the contrary, be able to assist us. This end will be obtained by developing the power of memory so that our conceptions may flow from us without fear of disaster, and that we may be enabled to look ahead without anxious backward glances or the feeling that we are absolutely dependent on what we can call to mind. Otherwise I prefer the rashness of improvisation to the coherence given by premeditation. For such backward glances place us 7 at a disadvantage, because our search for our premeditated ideas makes us miss others, and we draw

BOOK X. VI. 7-VII. 3

our matter from our memory rather than from the subject on which we are speaking. And even if we are to rely on our memory and our subject alike, there are more things that may be discovered than ever yet have been.

VII. But the crown of all our study and the highest reward of our long labours is the power of improvisation. The man who fails to acquire this ~~had~~ better, in my opinion, abandon the task of advocacy and devote his powers of writing to other branches of literature. For it is scarcely decent for an honourable man to promise assistance to the public at large which he may be unable to provide in the most serious emergencies, or to attempt to enter a harbour which his ship cannot hope to make save when sailing before a gentle breeze. For there are 2 countless occasions when the sudden necessity may be imposed upon him of speaking without preparation before the magistrates or in a trial which comes on unexpectedly. And if any such sudden emergency befalls, I will not say any innocent citizen, but some one of the orator's friends or connexions, is he to stand tongue-tied and, in answer to those who seek salvation in his eloquence and are doomed, unless they secure assistance, to ask for delay of proceedings and time for silent and secluded study, till such moment as he can piece together the words that fail him, commit them to memory and prepare his voice and lungs for the effort? What theory of the duties 3 of an orator is there which permits him to ignore such sudden issues? What will happen when he has to reply to his opponent? For often the expected arguments to which we have written a reply fail us and the whole aspect of the case undergoes

BOOK X. VII. 3-6

a sudden change; consequently the variation to which cases are liable makes it as necessary for us to change our methods as it is for a pilot to change his course before the oncoming storm. Again, what use is much writing, assiduous reading and long years of study, if the difficulty is to remain as great as it was in the beginning? The man who is always faced with the same labour can only confess that his past labour has been spent in vain. I do not ask him to prefer to speak extempore, but merely that he should be able to do so. And this capacity is best acquired by the following method.

In the first place, we must note the direction which the argument is likely to take, since we cannot run our race unless we know the goal and the course. It is not enough to know what are the parts¹ into which forensic pleadings are divided or the principles determining the order of the various questions, important though these points are. We must realise what should come first, second, and so on, in the several parts; for these points are so closely linked together by the very nature of things that they cannot be separated, nor their order changed, without giving rise to confusion. The orator, who speaks methodically, will above all take the actual sequence of the various points as his guide, and it is for this reason that even but moderately trained speakers find it easiest to keep the natural order in the *statement of facts*. Secondly, the orator must know what to look for in each portion of his case: he must not beat about the bush or allow himself to be thrown off the track by thoughts which suggest themselves from irrelevant quarters, or produce a speech which is a confused mass of incongruities,

BOOK X. VII. 6-9

owing to his habit of leaping this way and that, and never sticking to any one point. Finally, he must 7 confine himself to certain definite bounds; and for this *division* is absolutely necessary. When to the best of his ability he has dealt fully with all the points which he has advanced, he will know that he has reached his goal.

The precepts just given are dependent on theory. Those to which I now come depend on individual study. We must acquire a store of the best words and phrases on lines that I have already laid down, while our style must be formed by continuous and conscientious practice in writing, so that even our improvisations may reproduce the tone of our writing, and after writing much, we must give ourselves frequent practice in speaking. For facility is mainly 8 the result of habit and exercise and, if it be lost only for a brief time, the result will be not merely that we fall short of the requisite rapidity, but that our lips will become clogged and slow to open. For although we need to possess a certain natural nimbleness of mind to enable us, while we are saying what the instant demands, to build up what is to follow and to secure that there will always be some thought formed and conceived in advance ready to serve our voice, none the less, it is scarcely possible either for natural 9 gifts or for methodic art to enable the mind to grapple simultaneously with such manifold duties, and to be equal at one and the same time to the tasks of invention, arrangement, and style, together with what we are uttering at the moment, what we have got to say next and what we have to look to still further on, not to mention the fact that it

is necessary all the time to give close attention to voice, delivery and gesture. For our mental activities 10 must range far ahead and pursue the ideas which are still in front, and in proportion as the speaker pays out what he has in hand, he must make advances to himself from his reserve funds, in order that, until we reach our conclusion, our mind's eye may urge its gaze forward, keeping time with our advance: otherwise we shall halt and stumble, and pour forth short and broken phrases, like persons who can only gasp out what they have to say.

There is, therefore, a certain mechanical knack, 11 which the Greeks call *ἄλογος τριβή*, which enables the hand to go on scribbling, while the eye takes in whole lines at once as it reads, observes the intonations and the stops, and sees what is coming before the reader has articulated to himself what precedes. It is a similar knack which makes possible those miraculous tricks which we see jugglers and masters of sleight of hand perform upon the stage, in such a manner that the spectator can scarcely help believing that the objects which they throw into the air come to hand of their own accord, and run where they are bidden. But this knack will 12 only be of real service if it be preceded by the art of which we have spoken,¹ so that what is irrational in itself will nevertheless be founded on reason. For unless a man speaks in an orderly, ornate and fluent manner, I refuse to dignify his utterance with the name of speech, but consider it the merest rant. Nor again shall I ever be induced to admire a con- 13 tinuous flow of random talk, such as I note streams in torrents even from the lips of women when they quarrel, although, if a speaker is swept away by

warmth of feeling and genuine inspiration, it frequently happens that he attains a success from improvisation which would have been beyond the reach of the most careful preparation. When this occurred, the 14 old orators, such as Cicero,¹ used to say that some god had inspired the speaker. But the reason is obvious. For profound emotion and vivid imagination sweep on with unbroken force, whereas, if retarded by the slowness of the pen, they are liable to grow cold and, if put off for the moment, may never return. Above all, if we add to these obstacles an unhealthy tendency to quibble over the choice of words, and check our advance at each step, the vehemence of our onset loses its impetus; while even though our choice of individual words may be of the happiest, the style will be a mere patchwork with no regular pattern.

Consequently those vivid conceptions of which I 15 spoke² and which, as I remarked, are called *φαντάσιαι*, together with everything that we intend to say, the persons and questions involved, and the hopes and fears to which they give rise, must be kept clearly before our eyes and admitted to our hearts: for it is feeling and force of imagination that make us eloquent. It is for this reason that even the uneducated have no difficulty in finding words to express their meaning, if only they are stirred by some strong emotion. Further the attention of the mind must be 16 directed not to some one thing, but simultaneously to a number of things in continuous sequence. The result will be the same as when we cast our eyes along some straight road and see at once all that is on and near it, obtaining a view not merely of its end, but of the whole way there. Dread of the shame of failure is also a powerful stimulant to oratory,

BOOK X. VII. 16-19

and it may be regarded as a matter for wonder that, whereas when writing we delight in privacy and shrink from the presence of witnesses, in extempore pleading a large audience has an encouraging effect, like that which the sight of the massed standards has on the soldier. For the sheer necessity of speaking thrusts forward and forces out our labouring thought, and the desire to win approbation kindles and fosters our efforts. So true is it that there is nothing which does not look for some reward, that eloquence, despite the fact that its activity is in itself productive of a strong feeling of pleasure, is influenced by nothing so much as the immediate acquisition of praise and renown. Nor should any man put such trust in his native ability as to hope that this power will present itself to him at the outset of his career as an orator; for the precepts which I laid down for premeditation¹ apply to improvisation also; we must develop it by gradual stages from small beginnings, until we have reached that perfection which can only be produced and maintained by practice.

Moreover, the orator should reach such a pitch of excellence that, while premeditation may still be the safer method, it will not necessarily be the better, since many have acquired the gift of improvisation not merely in prose, but in verse as well, as, for example, Antipater of Sidon and Licinius Archias (for whose powers we have the unquestionable authority of Cicero²), not to mention the fact that there are many, even in our own day, who have done this and are still doing it. I do not, however, regard this accomplishment as being particularly valuable in itself, for it is both unpractical and unnecessary, but mention it as a useful example to encourage students

training for the bar, in the hope that they may be able to acquire this accomplishment. Still our confidence in our power of speaking extempore should never be so great that we should neglect to devote a few minutes to the consideration of what we are going to say. There will but rarely be occasions when this is impossible, while in the lawsuits of the courts there is always some time allowed for the purpose. For no one can plead a cause with the facts of which he is unacquainted. Some declaimers, it is true, are led by a perverse ambition to attempt to speak the moment their theme has been given them, and even ask for a word with which to start, an affectation which is in the worst and most theatrical taste. But eloquence has, in her turn, nothing but derision for those that insult her thus, and speakers who wish to seem learned to fools are merely regarded as fools by the learned. If, however, chance should impose the necessity upon us of pleading a case at such short notice, we shall require to develop special mental agility, to give all our attention to the subject, and to make a temporary sacrifice of our care for the niceties of language, if we find it impossible to secure both. On such occasions a slower delivery and a style of speaking suggestive of a certain indecision and doubt will secure us time to think, but we must be careful to do this in such a way as to give the impression of thought, not of hesitation. This precaution may be employed while we are clearing harbour, if the wind drive us forward before all our tackle is ready. Afterwards, as we proceed upon our course, we shall trim our sails, arrange our ropes, and pray that the breeze may fill our sails. Such a procedure is

BOOK X. VII. 23-27

preferable to yielding ourselves to an empty torrent of words, that the storm may sweep us where it will.

But it requires no less careful study to maintain 24
than to acquire this facility. Theory once mastered
is not forgotten, and the pen loses but little of its
speed by disuse: but this promptitude and readiness
for action can be maintained by practice only. The
best form of exercise is to speak daily before an
audience of several persons, who should, as far as
possible, be selected from those whose judgement
and good opinion we value, since it is rare for any-
one to be sufficiently critical of himself. It is even
better to speak alone than not at all. There is yet 25
another method of exercising this faculty: it consists
in going over our subjects in their entirety in silent
thought, although we must all the time formulate
the words to ourselves: such practice is possible at
any moment or place that finds us unoccupied, and
is, in some respects, more useful than that which I
have just mentioned; for we are more careful about 26
our composition than when we are actually speaking
and in momentary fear of interrupting the continuous
flow of our language. On the other hand, the first
method is more valuable for certain purposes, as it
gives strength to our voice, fluency to our tongue
and vigour to our gesture; and the latter, as I have
already remarked,¹ in itself excites the orator and
spurs him on, as he waves his hand or stamps his
foot: he is, in fact, like the lion, that is said to lash
himself to fury with his tail. But we must study
always and everywhere. For there is scarce a single 27
day in our lives that is so full of occupations that we
may not, at some moment or other, snatch a few
precious minutes, as Cicero ² records that Brutus was

wont to do, either for writing or reading or speaking ;
 Gaius Carbo,¹ for example, was in the habit of indulg-
 ing in such exercises even in his tent. I must also 28
 mention the precept (which again has the approval
 of Cicero²) that we should never be careless about
 our language. Whatever we say, under whatever
 circumstances, should be perfect in its way. As re-
 gards writing, this is certainly never more necessary
 than when we have frequently to speak extempore.
 For it maintains the solidity of our speech and gives
 depth to superficial facility. We may compare the
 practice of husbandmen who cut away the uppermost
 roots of their vines, which run close to the surface of
 the soil, that the taproots may strike deeper and gain
 in strength. Indeed I am not sure that, if we prac- 29
 tise both with care and assiduity, mutual profit will
 not result, and writing will give us greater precision
 of speech, while speaking will make us write with
 greater facility. We must write, therefore, when-
 ever possible ; if we cannot write, we must meditate :
 if both are out of the question, we must still speak in
 such a manner that we shall not seem to be taken
 unawares nor our client to be left in the lurch.

It is, however, a common practice with those who 30
 have many cases to plead to write out the most
 necessary portions, more especially the beginnings of
 their speeches, to cover the remainder of that which
 they are able to prepare by careful premeditation
 and to trust to improvisation in emergency, a prac-
 tice regularly adopted by Cicero, as is clear from his
 note-books. But the notes of other orators are also
 in circulation ; some have been discovered by
 chance, just as they were jotted down previous to a
 speech, while others have been edited in book form,

BOOK X. VII. 30-33

as in the case of the speeches delivered in the courts by Servius Sulpicius, of whose works only three speeches survive. These memoranda, however, of which I am speaking are so carefully drawn up that they seem to me to have been composed by himself for the benefit of posterity. But Cicero's notes were originally intended merely to meet the requirements of the moment, and were afterwards collected¹ by Tiro. In making this apology I do not mean to imply that I disapprove of them, but merely wish to make them more worthy of admiration. And in this connexion I must state that I admit the use of brief memoranda and note-books, which may even be held in the hand and referred to from time to time. But I disapprove of the advice given by Laenas, that we should set down in our note-books, duly tabulated under the appropriate headings, summaries of what we propose to say, even in cases where we have already written it out in full. For reliance on such notes as these makes us careless in learning what we have written and mutilates and deforms our style. For my own part I think that we should never write out anything which we do not intend to commit to memory. For if we do, our thoughts will run back to what we have elaborated in writing and will not permit us to try the fortune of the moment. Consequently, the mind will waver in doubt between the two alternatives, having forgotten what was committed to writing and being unable to think of anything fresh to say. However, as the topic of memory will be discussed in the next book, I will not introduce it here, as there are other points which require to be dealt with first.

BOOK XI

BOOK XI

I. After acquiring the power of writing and thinking, as described in the preceding book, and also of pleading extempore, if occasion demand, our next task will be to ensure that appropriateness of speech, which Cicero¹ shows to be the fourth department of style, and which is, in my opinion, highly necessary. For since the ornaments of style are varied and ² manifold and suited for different purposes, they will, unless adapted to the matter and the persons concerned, not merely fail to give our style distinction, but will even destroy its effect and produce a result quite the reverse of that which our matter should produce. For what profit is it that our words should be Latin, significant and graceful, and be further embellished with elaborate figures and rhythms, unless all these qualities are in harmony with the views to which we seek to lead the judge and mould his opinions? What use is it if we employ a lofty ³ tone in cases of trivial import, a slight and refined style in cases of great moment, a cheerful tone when our matter calls for sadness, a gentle tone when it demands vehemence, threatening language when supplication, and submissive when energy is required, or fierceness and violence when our theme is one that asks for charm? Such incongruities are as unbecoming as it is for men to wear necklaces and pearls and flowing raiment which are the natural adornments of women, or for women to robe them-

BOOK XI. 1. 3-6

selves in the garb of triumph, than which there can be conceived no more majestic raiment. This topic ⁴ is discussed by Cicero in the third book of the *de Oratore*,¹ and, although he touches on it but lightly, he really covers the whole subject when he says, *One single style of oratory is not suited to every case, nor to every audience, nor every speaker, nor every occasion.* And he says the same at scarcely greater length in the *Orator*.² But in the first of these works Lucius Crassus, since he is speaking in the presence of men distinguished alike for their learning and their eloquence, thinks it sufficient merely to indicate this topic to his audience for their recognition; while in the ⁵ latter work Cicero asserts that, as these facts are familiar to Brutus, to whom that treatise is addressed, they will be given briefer treatment, despite the fact that the subject is a wide one and is discussed at greater length by the philosophers. I, on the other hand, have undertaken the education of an orator, and, consequently, am speaking not merely to those that know, but also to learners; I shall, therefore, have some claim to forgiveness if I discuss the topic in greater detail.

For this reason, it is of the first importance that ⁶ we should know what style is most suitable for conciliating, instructing or moving the judge, and what effects we should aim at in different parts of our speech. Thus we shall eschew antique, metaphorical and newly-coined words in our *exordium*, *statement of facts* and *arguments*, as we shall avoid flowing periods woven with elaborate grace, when the case has to be divided and distinguished under its various heads, while, on the other hand, we shall not employ mean or colloquial language, devoid of all artistic

structure, in the *peroration*, nor, when the theme calls for compassion, attempt to dry the tears of our audience with jests. For all ornament derives its effect 7 not from its own qualities so much as from the circumstances in which it is applied, and the occasion chosen for saying anything is at least as important a consideration as what is actually said. But the whole of this question of appropriate language turns on something more than our choice of style, for it has much in common with invention. For if words can produce such an impression, how much greater must that be which is created by the facts themselves. But I have already laid down rules for the treatment of the latter in various portions of this work.

Too much insistence cannot be laid upon the point 8 that no one can be said to speak appropriately who has not considered not merely what it is expedient, but also what it is becoming to say. I am well aware that these two considerations generally go hand in hand. For whatever is becoming is, as a rule, useful, and there is nothing that does more to conciliate the good-will of the judge than the observance or to alienate it than the disregard of these considerations. Sometimes, however, the two 9 are at variance. Now, whenever this occurs, expediency must yield to the demands of what is becoming. Who is there who does not realise that nothing would have contributed more to secure the acquittal of Socrates than if he had employed the ordinary forensic methods of defence and had conciliated the minds of his judges by adopting a submissive tone and had devoted his attention to refuting the actual charge against him? But such 10 a course would have been unworthy of his character,

BOOK XI. 1. 10-13

and, therefore, he pleaded as one who would account the penalty to which he might be sentenced as the highest of honours. The wisest of men preferred to sacrifice the remnant of his days rather than to cancel all his past life. And since he was but ill understood by the men of his own day, he reserved his case for the approval of posterity and at the cost of a few last declining years achieved through all the ages life everlasting. And so although Lysias, who 11 was accounted the first orator of that time, offered him a written defence, he refused to make use of it, since, though he recognised its excellence, he regarded it as unbecoming to himself. This instance alone shows that the end which the orator must keep in view is not persuasion, but speaking well, since there are occasions when to persuade would be a blot upon his honour. The line adopted by Socrates was useless to secure his acquittal, but was of real service to him as a man; and that is by far the greater consideration. In drawing this distinction between what is expedient and what is 12 becoming, I have followed rather the usage of common speech than the strict law of truth; unless, indeed, the elder Africanus¹ is to be regarded as having failed to consult his true interests, when he retired into exile sooner than wrangle over his own innocence with a contemptible tribune of the people, or unless it be alleged that Publius Rutilius² was ignorant of his true advantage both on the occasion when he adopted a defence which may almost be compared with that of Socrates, and when he preferred to remain in exile rather than return at Sulla's bidding. No, these great men regarded all those 13 trifles that the most abject natures regard as advan-

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BOOK XI. I. 13-16

tageous, as being contemptible if weighed in the balance with virtue, and for this reason they have their reward in the deathless praise of all generations. Let not us, then, be so poor spirited as to regard the acts, which we extol, as being inexpedient. However, it is but rarely that this distinction, such 14 as it is, is called into play. As I have said, the expedient and the becoming will, as a rule, be identical in every kind of case. Still, there are two things which will be becoming to all men at all times and in all places, namely, to act and speak as befits a man of honour, and it will never at any time beseem any man to speak or act dishonourably. On the other hand, things of minor importance and occupying something like a middle position between the two are generally of such a nature that they may be conceded to some, but not to others, while it will depend on the character of the speaker and the circumstances of time, place and motive whether we regard them as more or less excusable or reprehensible. When, however, we are speaking of our 15 own affairs or those of others, we must distinguish between the expedient and the becoming, while recognising that the majority of the points which we have to consider will fall under neither head.

In the first place, then, all kinds of boasting are a mistake, above all, it is an error for an orator to praise his own eloquence, and, further, not merely wearies, but in the majority of cases disgusts the audience. For there is ever in the mind of man a certain 16 element of lofty and unbending pride that will not brook superiority: and for this reason we take delight in raising the humble and submissive to their feet, since such an act gives us a consciousness of our

BOOK XI. 1. 16-19

superiority, and as soon as all sense of rivalry disappears, its place is taken by a feeling of humanity. But the man who exalts himself beyond reason is looked upon as depreciating and showing a contempt for others and as making them seem small rather than himself seem great. As a result, those who are 17 beneath him feel a grudge against him (for those who are unwilling to yield and yet have not the strength to hold their own are always liable to this failing), while his superiors laugh at him and the good disapprove. Indeed, as a rule, you will find that arrogance implies a false self-esteem, whereas those who possess true merit find satisfaction enough in the consciousness of possession.

Cicero has been severely censured in this connexion, although he was far more given to boasting of his political achievements than of his eloquence, at any rate, in his speeches. And as a rule he had 18 some sound reason for his self-praise. For he was either defending those who had assisted him to crush the conspiracy of Catiline, or was replying to attacks made upon him by those who envied his position; attacks which he was so far unable to withstand that he suffered exile as the penalty for having saved his country. Consequently, we may regard his frequent reference to the deeds accomplished in his consulship as being due quite as much to the necessities of defence as to the promptings of vain-glory. As regards his own eloquence, he never 19 made immoderate claims for it in his pleading, while he always paid a handsome tribute to the eloquence of the advocate, who opposed him. For example, there are passages such as the following: "If there be aught of talent in me, and I am only too conscious

how little it is,"¹ and, "In default of talent, I turned to industry for aid."² Again, in his speech against 20 Caecilius on the selection of an accuser for Verres, despite the fact that the question as to which was the most capable pleader, was a factor of great importance, he rather depreciated his opponent's eloquence than exalted his own, and asserted that he had done all in his power to make himself an orator,³ though he knew he had not succeeded. In 21 his letters to intimate friends, it is true, and occasionally in his dialogues, he tells the truth of his own eloquence, though in the latter case he is careful always to place the remarks in question in the mouth of some other character. And yet I am not sure that open boasting is not more tolerable, owing to its sheer straightforwardness, than that perverted form of self-praise, which makes the millionaire say that he is not a poor man, the man of mark describe himself as obscure, the powerful pose as weak, and the eloquent as unskilled and even inarticulate. But the most ostentatious kind of boasting takes 22 the form of actual self-derision. Let us therefore leave it to others to praise us. For it befits us, as Demosthenes says, to blush even when we are praised by others. I do not mean to deny that there are occasions when an orator may speak of his own achievements, as Demosthenes himself does in his defence of Ctesiphon.⁴ But on that occasion he qualified his statements in such a way as to show that he was compelled by necessity to do so, and to throw the odium attaching to such a proceeding on the man who had forced him to it. Again, Cicero 23 often speaks of his suppression of the Catilinarian conspiracy, but either attributes his success to the

BOOK XI. 1. 23-27

courage shown by the senate or to the providence of the immortal gods. If he puts forward stronger claims to merit, it is generally when speaking against his enemies and detractors; for he was bound to defend his actions when they were denounced as discreditable. One could only wish that he had shown ²⁴ greater restraint in his poems, which those who love him not are never weary of criticising. I refer to passages such as :¹

“ Let arms before the peaceful toga yield,
Laurels to eloquence resign the field,”

or

“ O happy Rome, born in my consulship ! ”

together with that “ Jupiter, by whom he is summoned to the assembly of the gods,” and the “ Minerva that taught him her accomplishments ” ; extravagances which he permitted himself in imitation of certain precedents in Greek literature.

But while it is unseemly to make a boast of one's ²⁵ eloquence, it is, however, at times permissible to express confidence in it. Who, for instance, can blame the following ? ² “ What, then, am I to think ? That I am held in contempt ? I see nothing either in my past life, or my position, or such poor talents as I may possess, that Antony can afford to despise.” And a little later he speaks yet more openly : ²⁶ “ Or did he wish to challenge me to a contest of eloquence ? I could wish for nothing better. For what ampler or richer theme could I hope to find than to speak at once for myself and against Antony ? ”

Another form of arrogance is displayed by those who ²⁷ declare that they have come to a clear conviction of

the justice of their cause, which they would not otherwise have undertaken. For the judges give but a reluctant hearing to such as presume to anticipate their verdict, and the orator cannot hope that his opponents will regard his *ipse dixit* with the veneration accorded by the Pythagoreans to that of their master. But this fault will vary in seriousness according to the character of the orator who uses such language. For such assertions may to some extent be justified by the age, rank, and authority of the speaker. But scarcely any orator is possessed of these advantages to such an extent as to exempt him from the duty of tempering such assertions by a certain show of modesty, a remark which also applies to all passages in which the advocate draws any of his arguments from his own person. What could have been more presumptuous than if Cicero had asserted that the fact that a man was the son of a Roman knight should never be regarded as a serious charge, in a case in which *he* was appearing for the defence? But he succeeded in giving this very argument a favourable turn by associating his own rank with that of the judges, and saying,¹ "The fact of a man being the son of a Roman knight should never have been put forward as a charge by the prosecution when these gentlemen were in the jury-box and I was appearing for the defendant."

An impudent, disorderly, or angry tone is always unseemly, no matter who it be that assumes it; and it becomes all the more reprehensible in proportion to the age, rank, and experience of the speaker. But we are familiar with the sight of certain brawling advocates who are restrained neither by respect for the court nor by the recognised methods and

BOOK XI. 1. 29-34

manners of pleading. The obvious inference from this attitude of mind is that they are utterly reckless both in undertaking cases and in pleading them. For a man's character is generally revealed and the secrets of his heart are laid bare by his manner of speaking, and there is good ground for the Greek aphorism that, "as a man lives, so will he speak." The following vices are of a meaner type: grovelling flattery, affected buffoonery, immodesty in dealing with things or words which are unseemly or obscene, and disregard of authority on all and every occasion. They are faults which, as a rule, are found in those who are over-anxious either to please or amuse.

Again, different kinds of eloquence suit different speakers. For example, a full, haughty, bold and florid style would be less becoming to an old man than that restrained, mild and precise style to which Cicero refers, when he says that his style is beginning to grow grey-haired.¹ It is the same with their style as their clothes; purple and scarlet raiment goes ill with grey hairs. In the young, however, we can endure a rich and even, perhaps, a risky style. On the other hand, a dry, careful and compressed style is unpleasing in the young as suggesting the affectation of severity, since even the authority of character that goes with age is considered as premature in young men. Soldiers are best suited by a simple style. Those, again, who make ostentatious profession, as some do, of being philosophers, would do well to avoid most of the ornaments of oratory, more especially those which consist in appeals to the passions, which they regard as moral blemishes. So, too, the employment of rare words and of rhythmical structure are incongruous with their profession.

BOOK XI. 1. 34-37

their beards and gloomy brows are ill-suited not
 merely to luxuriance of style, such as we find in
 Cicero's "Rocks and solitudes answer to the voice,"¹
 but even to full-blooded passages as, "For on you I
 call, ye hills and groves of Alba; I call you to bear
 me witness, and ye, too, fallen altars of the Albans,
 that were once the yeers and equals of the holy
 places of Rome."² But the public man, who is truly 35
 wise and devotes himself not to idle disputations,
 but to the administration of the state, from which
 those who call themselves philosophers have with-
 drawn themselves afar, will gladly employ every
 method that may contribute to the end which he
 seeks to gain by his eloquence, although he will first
 form a clear conception in his mind as to what aims
 are honourable and what are not. There is a form 36
 of eloquence which is becoming in the greatest¹
 men, but inadmissible in others. For example, the
 methods of eloquence employed by commanders and
 conquerors in their hour of triumph are to a great
 extent to be regarded as in a class apart. The
 comparison of the eloquence of Pompey and Cato
 the younger, who slew himself in the civil war, will
 illustrate my meaning. The former was extra-
 ordinarily eloquent in the description of his own
 exploits, while the latter's powers were displayed
 in debates in the senate. Again, the same remark 37
 will seem freedom of speech in one's mouth, madness
 in another's, and arrogance in a third. We laugh at
 the words used by Thersites³ to Agamemnon; but
 put them in the mouth of Diomedes or some other
 of his peers, and they will seem the expression of a
 great spirit. "Shall I regard you as consul," said
 Lucius Crassus⁴ to Philippus, "when you refuse to

regard me as a senator?" That was honourable freedom of speech, and yet we should not tolerate such words from everybody's lips. One of the poets¹ 38 says that he does not care whether Caesar be white or black. That is madness. But reverse the case. Suppose that Caesar said it of the poet? That would be arrogance. The tragic and comic poets pay special attention to character, since they introduce a great number and variety of persons. Those who wrote speeches² for others paid a like attention to these points, and so do the declaimers; for we do not always speak as advocates, but frequently as actual parties to the suit.

But even in these cases in which we appear as 39 advocates, differences of character require careful observation. For we introduce fictitious personages and speak through other's lips, and we must therefore allot the appropriate character to those to whom we lend a voice. For example, Publius Clodius will be represented in one way, Appius Caecus³ in another, while Caecilius⁴ makes the father in his comedy speak in quite a different manner from the father in the comedy of Terence. What can be 40 more brutal than the words of Verres' lictor, "To see him you will pay so much"?⁵ or braver than those of the man from whom the scourge could wring but one cry, "I am a Roman citizen!"⁶ Again, read the words which Cicero places in the mouth of Milo in his peroration: are they not worthy of the man who to save the state had so oft repressed a seditious citizen, and had triumphed by his valour over the ambush that was laid for him?⁷ Further, it is not merely true that the 41 variety required in impersonation will be in

proportion to the variety presented by the case, for impersonation demands even greater variety, since it involves the portrayal of the emotions of children, women, nations, and even of voiceless things, all of which require to be represented in character. The same points have to be observed with respect 42 to those for whom we plead: for our tone will vary with the character of our client, according as he is distinguished, or of humble position, popular or the reverse, while we must also take into account the differences in their principles and their past life. As regards the orator himself, the qualities which will most commend him are courtesy, kindness, moderation and benevolence. But, on the other hand, the opposite of these qualities will sometimes be becoming to a good man. He may hate the bad, be moved to passion in the public interest, seek to avenge crime and wrong, and, in fine, as I said at the beginning,¹ may follow the promptings of every honourable emotion.

The character of the speaker and of the person on 43 whose behalf he speaks are, however, not the only points which it is important to take into account: the character of those before whom we have to speak calls for serious consideration. Their power and rank will make no small difference; we shall employ different methods according as we are speaking before the emperor, a magistrate, a senator, a private citizen, or merely a free man, while a different tone is demanded by trials in the public courts, and in cases submitted to arbitration. For 44 while a display of care and anxiety, and the employment of every device available for the amplification of our style are becoming when we are

pleading for a client accused on a capital charge, it would be useless to employ the same methods in cases and trials of minor importance, and the speaker who, when speaking from his chair before an arbitrator on some trivial question, should make an admission like that made by Cicero, to the effect that it was not merely his soul that was in a state of commotion, but that his whole body was convulsed with shuddering,¹ would meet with well-deserved ridicule. Again, who does not know what different styles of 45 eloquence are required when speaking before the grave assembly of the senate and before the fickle populace, since even when we are pleading before single judges the same style will not be suitable for use before one of weighty character and another of a more frivolous disposition, while a learned judge must not be addressed in the same tone that we should employ before a soldier or a rustic, and our style must at times be lowered and simplified, for fear that he may be unable to take it in or to understand it.

Again, circumstances of time and place demand 46 special consideration. The occasion may be one for sorrow or for rejoicing, the time at our disposal may be ample or restricted, and the orator must adapt himself to all these circumstances. It, like 47 wise, makes no small difference whether we are speaking in public or in private, before a crowded audience or in comparative seclusion, in another city or our own, in the camp or in the forum: each of these places will require its own style and peculiar form of oratory, since even in other spheres of life the same actions are not equally suited to the forum, the senate-house, the Campus Martius, the theatre

BOOK XI. I. 47-51

or one's own house, and there is much that is not in itself reprehensible, and may at times be absolutely necessary, which will be regarded as unseemly if done in some place where it is not sanctioned by custom. I have already pointed out¹ how much 48 more elegance and ornament is allowed by the topics of demonstrative oratory, whose main object is the delectation of the audience, than is permitted by deliberative or forensic themes which are concerned with action and argument.

To this must be added the fact that certain qualities, which are in themselves merits of a high order, may be rendered unbecoming by the special circumstances of the case. For example, when a 49 man is accused on a capital charge, and, above all, if he is defending himself before his conqueror or his sovereign, it would be quite intolerable for him to indulge in frequent metaphors, antique or newly-coined words, rhythms as far removed as possible from the practice of every-day speech, rounded periods, florid commonplaces and ornate reflexions. Would not all these devices destroy the impression of anxiety which should be created by a man in such peril, and rob him of the succour of pity, on which even the innocent are forced to rely? Would 50 any man be moved by the sad plight of one who revealed himself as a vainglorious boaster, and ostentatiously flaunted the airs and graces of his eloquence at a moment when his fate hung in suspense? Would he not rather hate the man who, despite his position as accused, hunted for fine words, showed himself concerned for his reputation as a clever speaker, and found time at such a moment to display his eloquence? I consider that 51

BOOK XI. 1. 51-54

Marcus Caelius, in the speech in which he defended himself against a charge of breach of the peace, showed a wonderful grasp of these facts, when he said: "I trust that none of you gentlemen, or of all those who have come to plead against me, will find offence in my mien or insolence in my voice, or, though that is a comparative trifle, any trace of arrogance in my gesture." But there are some cases where the 52 success of the pleader depends on apology, entreaties for mercy, or confession of error. Can sorrow be expressed in épigram? Or will *enthymemes*¹ or *epiphonemata*² avail to win the judge's mercy? Will not all embellishment of pure emotion merely impair its force and dispel compassion by such a display of apparent unconcern? Or, suppose that a father 53 has to speak of his son's death, or of some wrong that is worse than death, will he, in making his statement of facts, seek to achieve that grace in exposition which is secured by purity and lucidity of language, and content himself with setting forth his case in due order with brevity and meaning? Or will he count over the heads of his argument upon his fingers, aim at niceties of division and proposition, and speak without the least energy of feeling as is usual in such portions of a speech? Whither will his grief have fled while he is thus 54 engaged? Where has the fountain of his tears been stayed? How came this callous attention to the rules of text-books to obtrude itself? Will he not rather, from his opening words to the very last he utters, maintain a continuous voice of lamentation and a mien of unvaried woe, if he desires to transplant his grief to the hearts of his audience? For if he once remits aught of his passion of grief, he

BOOK XI. 1. 54-57

will never be able to recall it to the hearts of them that hear him. This is a point which declaimers, 55 above all, must be careful to bear in mind: I mention this because I have no compunction in referring to a branch of the art which was once also my own, or in reverting to the consideration of the youthful students such as once were in my charge: the declaimer, I repeat, must bear this in mind, since in the schools we often feign emotions that affect us not as advocates, but as the actual sufferers. For example, we even imagine cases where persons, 56 either because of some overwhelming misfortune or repentance for some sin, demand from the senate the right to make an end of their lives;¹ and in these cases it is obviously unbecoming not merely to adopt a chanting intonation,² a fault which has also become almost universal, or to use extravagant language, but even to argue without an admixture of emotional appeal, so managed as to be even more prominent than the proof which is advanced. For the man who can lay aside his grief for a moment while he is pleading, seems capable even of laying it aside altogether

I am not sure, however, that it is not in our 57 attitude towards our opponents that this care for decorum, which we are now discussing, should be most rigorously maintained. For there can be no doubt, that in all accusations our first aim should be to give the impression that it is only with the greatest reluctance that we have consented to undertake the rôle of accuser. Consequently, I strongly disapprove of such remarks as the following which was made by Cassius Severus:³ "Thank Heaven, I am still alive; and that I may find some savour in

life, I see Asprenas arraigned for his crimes." For,⁷ after this, it is impossible to suppose that he had just or necessary reasons for accusing Asprenas, and we cannot help suspecting that his motive was sheer delight in accusation. But, beside this considera- 58 tion, which applies to all cases, there is the further point that certain cases demand special moderation. Therefore, a man who demands the appointment of a curator for his father's property, should express his grief at his father's affliction ; and, however grave be the charges that a father may be going to bring against his son, he should emphasize the painful nature of the necessity that is imposed upon him.¹ And this he should do not merely in a few brief words, but his emotion should colour his whole speech, so that it may be felt not merely that he is speaking, but that he is speaking the truth. Again, if a ward make allegations against his 59 guardian, the latter must never give way to such anger that no trace is left of his former love or of a certain reverent regard for the memory of his opponent's father. I have already spoken, in the seventh book, I think,² of the way in which a case should be pleaded against a father who disinherits his son, or a wife who brings a charge of ill-treatment against her husband, while the fourth book,³ in which I prescribed certain rules for the exordium, contains my instructions as to when it is becoming that the parties should speak themselves, and when they should employ an advocate to speak for them.

It will be readily admitted by everyone that 60 words may be becoming or offensive in themselves. There is therefore a further point, which presents the most serious difficulty, that requires notice in

BOOK XI. I. 60-64

this connexion: we must consider by what means things which are naturally unseemly and which, had we been given the choice, we should have preferred not to say, may be uttered without indecorum. What at first sight can be more displeasing and what 61 more revolting to the ears of men than a case in which a son or his advocate has to speak against his mother? And yet sometimes it is absolutely necessary, as, for example, in the case of Cluentius Habitus.¹ But it is not always desirable to employ the method adopted by Cicero against Sasia, not because he did not make most admirable use of it, but because in such cases it makes the greatest difference what the point may be and what the manner in which the mother seeks to injure her son. In the case of Sasia she had 62 openly sought to procure the destruction of her son, and consequently vigorous methods were justified against her. But there were two points, the only points which remained to be dealt with, that were handled by Cicero with consummate skill: in the first place, he does not forget the reverence that is due to parents, and in the second, after a thorough investigation of the history of the crime, he makes it clear that it was not merely right, but a positive necessity that he should say what he proposed to say against the mother. And he placed this ex- 63 planation in the forefront of his case,² although it had really nothing to do with the actual question at issue; a fact which shows that his first consideration in that difficult and complicated case was the consideration of what was becoming for him to say. He therefore made the name of mother cast odium not on the son, but on her who was the object of his denunciations. It is, however, always possible that a 64

BOOK XI. 1. 64-66

mother may be her son's opponent in a case of less serious import, or at any rate in a way which involves less deadly hostility. Under such circumstances the orator must adopt a gentler and more restrained tone. For example, we may offer apology for the line which we take, and thus lessen the odium which we incur or even transfer it to a different quarter, while if it be obvious that the son is deeply grieved by the situation, it will be believed that he is blameless in the matter and he will even become an object of pity. It will also be desirable to throw 65 the blame on others, so that it may be believed that the mother's action was instigated by their malice, and to assert that we will put up with every form of provocation, and will say nothing harsh in reply, so that, even although strong language may be absolutely necessary on our part, we may seem to be driven to use it against our will. Nay, if some charge has to be made against the mother, it will be the advocate's task to make it seem that he does so against the desire of the son and from a sense of duty to his client. Thus both son and advocate will win legitimate praise. What I have said about 66 mothers will apply to either parent; for I have known of litigation taking place between fathers and sons as well, after the *emancipation*¹ of the son. And when other relationships are concerned, we must take care to create the impression that we have spoken with reluctance and under stress of necessity and that we have been forbearing in our language; but the importance of so doing will vary according to the respect due to the persons concerned. The same courtesy should be observed in speaking on behalf of freedmen against their patrons.

BOOK XI. 1. 66-69

In fact, to sum up, it will never become us to plead against such persons in a tone which we ourselves should have resented in the mouth of men of like condition. The same respect is on occasion due to 67 persons of high rank, and it may be necessary to offer justification for our freedom of speech to avoid giving the impression that we have shown ourselves insolent or ostentatious in our attack upon such persons. Consequently Cicero, although he intended to speak against Cotta¹ with the utmost vehemence, and indeed the case of Publius Oppius was such that he could not do otherwise, prefaced his attack by pleading at some length the necessity imposed upon him by his duty to his client. Sometimes, again, it 68 will beseem us to spare or seem to spare our inferiors, more especially if they be young. Cicero² gives an example of such moderation in the way in which he deals with Atratinus in his defence of Caelius: he does not lash him like an enemy, but admonishes him almost like a father. For Atratinus was of noble birth and young, and the grievance which led him to bring the accusation was not unreasonable.

But the task is comparatively easy in those cases in which it is to the judge, or even, it may be, to our audience that we have to indicate the reason for our moderation. The real difficulty arises when we are afraid of offending those against whom we are speaking. The difficulties of Cicero when defending 69 Murena were increased by the fact that he was opposed by two persons of this character, namely Marcus Cato and Servius Sulpicius. And yet in what courteous language, after allowing Sulpicius all the virtues, he refuses to admit that he has any idea of the way to conduct a candidature for the consul-

X

ship.¹ What else was there in which a man of high birth and a distinguished lawyer would sooner admit his inferiority? With what skill he sets forth his reasons for undertaking the defence of Murena, when he says that he supported Sulpicius' candidature as opposed to that of Murena, but did not regard that preference as reason why he should support him in bringing a capital charge against his rival! And with what a light touch he deals with Cato!² He has the highest admiration for his character and desires to show that the fact that in certain respects it has become severe and callous is due not to any personal fault, but to the influence of the Stoic school of philosophy; in fact you would imagine that they were engaged not in a forensic dispute, but merely in some philosophical discussion. This 71 is undoubtedly the right method, and the safest rule in such cases will be to follow the practice of Cicero, namely, that, when we desire to disparage a man without giving offence, we should allow him to be the possessor of all other virtues and point out that it is only in this one respect that he falls short of his high standard, while we should, if possible, add some reason why this should be so, such, for example, as his being too obstinate or credulous or quick to anger, or acting under the influence of others. (For we may generally find a way out of such em- 72 barrassments by making it clear throughout our whole speech that we not merely honour the object of our criticism, but even regard him with affection.) Further, we should have good cause for speaking thus and must do so not merely with moderation, but also give the impression that our action is due to the necessities of the case. A different situation arises, 73

BOOK XI. 1. 73-75

but an easier one, when we have to praise the actions of men who are otherwise disreputable or hateful to ourselves : for it is only right that we should award praise where it is deserved, whatever the character of the person praised may be. Cicero spoke in defence of Gabinius and Publius Vatinius, both of them his deadly enemies and men against whom he had previously spoken and even published his speeches : but he justifies himself by declaring that he does so not because he is anxious for his reputation as an accomplished speaker, but because he is concerned for his honour. He had a more difficult 74 task in his defence of Cluentius,¹ as it was necessary for him to denounce Scamander's guilt, although he had previously appeared for him. But he excuses his action with the utmost grace, alleging the importunity of those persons who had brought Scamander to him, and his own youth at the time, whereas it would have been a serious blot on his reputation, especially in connexion with a case of the most dubious character, if he had admitted that he was one who was ready to undertake the defence of guilty persons without asking awkward questions.

On the other hand, when we are pleading before 75 a judge, who has special reasons for being hostile to us or is for some personal motive ill-disposed to the cause which we have undertaken, although it may be difficult to persuade him, the method which we should adopt in speaking is simple enough : we shall pretend that our confidence in his integrity and in the justice of our cause is such that we have no fears. We must play upon his vanity by pointing out that the less he indulges his own personal enmity or interest, the greater will be the reputation for

BOOK XI. 1. 75-78

conscientious rectitude that will accrue to him from his verdict. The same method may be adopted if 76 our case should chance to be sent back to the same judges from whom we have appealed: but we may further, if the case should permit, plead that we were forced to take the action which we did or were led to it by error or suspicion.¹ The safest course will therefore be to express our regret, apologise for our fault and employ every means to induce the judge to feel compunction for his anger. It will 77 also sometimes happen that a judge may have to try the same case on which he has previously given judgment. In such circumstances the method commonly adopted is to say that we should not have ventured to dispute his sentence before any other judge, since he alone would be justified in revising it: but (and in this we must be guided by the circumstances of the case) we may allege that certain facts were not known on the previous occasion or certain witnesses were unavailable, or, though this must be advanced with the utmost caution and only in the last resort, that our clients' advocates were unequal to their task. And even if 78 we have to plead a case afresh before different judges, as may occur in a second trial of a claim to freedom or in cases in the centumviral courts, which are divided between two different panels, it will be most seemly, if we have lost our case before the first panel, to say nothing against the judges who tried the case on that occasion. But this is a subject with which I dealt at some length in the passage where I discussed *proofs*.²

It may happen that we have to censure actions in others, of which we have been guilty ourselves,

BOOK XI. 1. 78-82

as, for example, when Tubero charges Ligarius with having been in Africa. Again, there have 79 been cases where persons condemned for bribery have indicted others for the same offence with a view to recovering their lost position:¹ for this the schools provide a parallel in the theme where a luxurious youth accuses his father of the same offence. I do not see how this can be done with decorum unless we succeed in discovering some difference between the two cases, such as character, age, motives, circumstances of time and place or intention. Tubero, for example, alleges that he 80 was a young man at the time and went thither in the company of his father, who had been sent by the senate not to take part in the war, but to purchase corn, and further that he left the party as soon as he could, whereas Ligarius clung to the party and gave his support, not to Gnaeus Pompeius, who was engaged with Caesar in a struggle for the supreme power, though both wished to preserve the state, but to Juba and the Africans who were the sworn enemies of Rome. The easiest 81 course, however, is to denounce another's guilt, while admitting our own in the same connexion. However, that is the part of an informer, not of a pleader. But if there is no excuse available, penitence is our only hope. For the man who is converted to the hatred of his own errors, may perhaps be regarded as sufficiently reformed. For 82 there are occasionally circumstances which from the very nature of the case may make such an attitude not unbecoming, as, for example, in the case where the father disinherits a son born of a harlot because that son has married a harlot, a case

which, although it forms a scholastic theme, might actually arise in a court of law. There are a number of pleas which the father may put forward with becoming effect. He will say that it is the prayer 83 of all parents that their sons should be better men than themselves (for example, if a daughter also had been born to him, the harlot, her mother, would have wished her to be chaste), or that he himself was in a humbler position (for a man in such a position is permitted to marry a harlot),¹ or that he had no father to warn him; and further that there was an additional reason against his son's conduct, namely, that he should not revive the old family scandal nor reproach his father with his marriage and his mother with the hard necessity of her former life, nor give a bad example to his own children in their turn. We may also plausibly suggest that there is some particularly shameful feature in the character of the harlot married by the son, which the father cannot under existing circumstances tolerate. There are other possible arguments which I pass by: for I am not now engaged in declamation, but am merely pointing out that there are occasions when the speaker may turn his own drawbacks to good account.

More arduous difficulties confront us when we have 84 to deal with a complaint of some shameful act such as rape, more especially when this is of an unnatural kind. I do not refer to cases when the victim himself is speaking. For what should he do but groan and weep and curse his existence, so that the judge will understand his grief rather than hear it articulately expressed? But the victim's advocate will have to exhibit similar emotions, since the

BOOK XI. i. 84-88

admission of such wrongs cause more shame to the sufferer than the criminal. In many cases it is 85 desirable to soften the harshness of our language by the infusion of a more conciliatory tone, as, for example, Cicero did in his speech¹ dealing with the children of the proscribed. What fate could be more cruel than that the children of men of good birth and the descendants of distinguished ancestors should be excluded from participation in public life? For this reason that supreme artist in playing on the minds of men admits that it is hard, but asserts that the constitution is so essentially dependent on the laws of Sulla, that their repeal would inevitably involve its destruction. Thus he succeeded in creating the impression that he was doing something on behalf of those very persons against whom he spoke.² I have already³ 86 pointed out, in dealing with the subject of jests, how unseemly it is to take the position in life of individuals as the target for our gibes, and also have urged that we should refrain from insulting whole classes, races or communities. But at times our duty toward our client will force us to say something on the general character of a whole class of people, such as freedmen, soldiers, tax-farmers or the like. In all these cases the usual 87 remedy is to create the impression that it is with reluctance that we introduce topics which must give pain, while further we shall avoid attacking everything, and even while using the language of reproof with regard to the essential point of attack, shall make up for our censure by praising our victims in some other connexion. For example, 88 if we charge soldiers with rapacity, we shall

BOOK XI. I. 88-91

qualify our statement by saying that the fact is not surprising, as they think that they are entitled to some special reward for the perils they have faced and the wounds they have sustained. Or, if we censure them for insolence, we shall add that this quality is due to the fact that they are more accustomed to war than to peace. In the case of freedmen we should disparage their influence: but we may also give them credit for the industry which secured their emancipation. With regard 89 to foreign nations, Cicero's practice varies. When he intends to disparage the credibility of Greek witnesses he admits their distinction in learning and literature and professes his admiration for their nation.¹ On the other hand, he has nothing but contempt for the Sardinians² and attacks the Allobroges as the enemies of Rome.³ In all these cases none of his remarks, at the time they were made, were inconsistent with or adverse to the claims of decorum. If there be anything offensive in the 90 subject on which we have to speak, it may be toned down by a studied moderation in our language; for example, we may describe a brutal character as being unduly severe, an unjust man as led astray by prejudice, an obstinate man as unreasonably tenacious of his opinion. And there are a large number of cases where we should attempt to defeat our opponents by reasoning, which forms the gentlest of all methods of attack.

To these remarks I would add that all extravagance 91 of any kind is indecorous, and consequently statements which are in sufficient harmony with the facts will none the less lose all their grace unless they are modified by a certain restraint. It is hard

BOOK XI. I. 91-II. I

to give rules as to the exact method in which this precept should be observed, but the problem will easily be solved by following the dictates of our own judgement, which will tell us what it is sufficient to say and how much the ears of our audience will tolerate. We cannot weigh or measure our words by fixed standards: they are like foods, some of which are more satisfying than others.

I think I should also add a few brief words to the effect that not only very different rhetorical virtues have their special admirers, but that they are often praised by the same persons. For instance, there is one passage¹ in Cicero where he writes that the best style is that which we think we can easily acquire by imitation, but which we find is really beyond our powers. But in another passage² he says that his aim was not to speak in such a manner that everyone should be confident that he could do the same, but rather in a style that should be the despair of all. These two statements may seem to be inconsistent, but as a matter of fact both alike deserve the praise which they receive. The difference is due to the fact that cases differ in character. Those of minor importance are admirably suited by the simplicity and negligence of unaffected language, whereas cases of greater moment are best suited by the grand style. Cicero is pre-eminent in both. Now while eminence in one of these styles may seem to the inexperienced to be within their grasp, those who understand know that they are capable of eminence in neither.

II. Some regard memory as being no more than one of nature's gifts; and this view is no doubt true to a great extent; but, like everything else, memory

BOOK XI. II. 1-3

may be improved by cultivation. And all the labour of which I have so far spoken will be in vain unless all the other departments be co-ordinated by the animating principle of memory. For our whole education depends upon memory, and we shall receive instruction all in vain if all we hear slips from us, while it is the power of memory alone that brings before us all the store of precedents, laws, rulings, sayings and facts which the orator must possess in abundance and which he must always hold ready for immediate use. Indeed it is not without good reason that memory has been called the treasure-house of eloquence. But 2 pleaders need not only to be able to retain a number of facts in their minds, but also to be quick to take them in; it is not enough to learn what you have written by dint of repeated reading; it is just as necessary to follow the order both of matter and words when you have merely thought out what you are going to say, while you must also remember what has been said by your opponents, and must not be content merely with refuting their arguments in the order in which they were advanced, but must be in a position to deal with each in its appropriate place. Nay, even extempore eloquence, in my 3 opinion, depends on no mental activity so much as memory. For while we are saying one thing, we must be considering something else that we are going to say: consequently, since the mind is always looking ahead, it is continually in search of something which is more remote: on the other hand, whatever it discovers, it deposits by some mysterious process in the safe-keeping of memory, which acts as a transmitting agent and hands on to the delivery

BOOK XI. II. 3-8

what it has received from the imagination. I do 4
not conceive, however, that I need dwell upon the
question of the precise function of memory, although
many hold the view that certain impressions are
made upon the mind, analogous to those which a
signet-ring makes on wax. Nor, again, shall I be so
credulous, in view of the fact that the retentiveness
or slowness of the memory depends upon our
physical condition, as to venture to allot a special
art to memory. My inclination is rather to marvel 5
at its powers of reproducing and presenting a
number of remote facts after so long an interval,
and, what is more, of so doing not merely when we
seek for such facts, but even at times of its own
accord, and not only in our waking moments, but
even when we are sunk in sleep. And my wonder is 6
increased by the fact that even beasts, which seem to
be devoid of reason, yet remember and recognise
things, and will return to their old home, however far
they have been taken from it. Again, is it not an
extraordinary inconsistency that we forget recent and
remember distant events, that we cannot recall what
happened yesterday and yet retain a vivid impression
of the acts of our childhood? And what, again, shall 7
we say of the fact that the things we search for
frequently refuse to present themselves and then
occur to us by chance, or that memory does not
always remain with us, but will even sometimes
return to us after it has been lost? But we should
never have realised the fullness of its power nor its
supernatural capacities, but for the fact that it is
memory which has brought oratory to its present
position of glory. For it provides the orator not 8
merely with the order of his thoughts, but even of

his words, nor is its power limited to stringing merely a few words together; its capacity for endurance is inexhaustible, and even in the longest pleadings the patience of the audience flags long before the memory of the speaker. This fact may 9 even be advanced as an argument that there must be some art of memory and that the natural gift can be helped by reason, since training enables us to do things which we cannot do before we have had any training or practice. On the other hand, I find that Plato¹ asserts that the use of written characters, is a hindrance to memory, on the ground, that is, that once we have committed a thing to writing, we cease to guard it in our memory and lose it out of 10 sheer carelessness. And there can be no doubt that 10 concentration of mind is of the utmost importance in this connexion; it is, in fact, like the eyesight, which turns to, and not away from, the objects which it contemplates. Thus it results that after writing for several days with a view to acquiring by heart what we have written, we find that our mental effort has of itself imprinted it on our memory.

The first person to discover an art of memory is 11 said to have been Simonides,² of whom the following well-known story is told. He had written an ode of the kind usually composed in honour of victorious athletes, to celebrate the achievement of one who had gained the crown for boxing. Part of the sum for which he had contracted was refused him on the ground that, following the common practice of poets, he had introduced a digression in praise of Castor and Pollux, and he was told that, in view of what he had done, he had best ask for the rest of the sum due from those whose deeds he had

BOOK XI. II. 11-16

extolled. And according to the story they paid their debt. For when a great banquet was given 12 in honour of the boxer's success, Simonides was summoned forth from the feast, to which he had been invited, by a message to the effect that two youths who had ridden to the door urgently desired his presence. He found no trace of them, but what followed proved to him that the gods had shown their gratitude. For he had scarcely crossed the 13 threshold on his way out, when the banqueting hall fell in upon the heads of the guests and wrought such havoc among them that the relatives of the dead who came to seek the bodies for burial were unable to distinguish not merely the faces but even the limbs of the dead. Then it is said, Simonides, who remembered the order in which the guests had been sitting, succeeded in restoring to each man his own dead. There is, however, great disagreement 14 among our authorities as to whether this ode was written in honour of Glaucus of Carystus, Leocrates, Agatharcus or Scopas, and whether the house was at Pharsalus, as Simonides himself seems to indicate in a certain passage, and as is recorded by Apollodorus, Eratosthenes, Euphorion and Eurypylus of Larissa, or at Crannon, as is stated by Apollas Callimachus, who is followed by Cicero,¹ to whom the wide circulation of this story is due. It is 15 agreed that Scopas, a Thessalian noble, perished at this banquet, and it is also said that his sister's son perished with him, while it is thought that a number of descendants of an elder Scopas met their death at the same time. For my own part, however, I 16 regard the portion of the story which concerns Castor and Pollux as being purely fictitious, since

BOOK XI. II. 16-19

the poet himself has nowhere mentioned the occurrence; and he would scarcely have kept silence on an affair which was so much to his credit.

This achievement of Simonides appears to have 17 given rise to the observation that it is an assistance to the memory if localities are sharply impressed upon the mind, a view the truth of which everyone may realise by practical experiment. For when we return to a place after considerable absence, we not merely recognise the place itself, but remember things that we did there, and recall the persons whom we met and even the unuttered thoughts which passed through our minds when we were there before. Thus, as in most cases, art originates in experiment. Some place is chosen of the 18 largest possible extent and characterised by the utmost possible variety, such as a spacious house divided into a number of rooms. Everything of note therein is carefully committed to the memory, in order that the thought may be enabled to run through all the details without let or hindrance. And undoubtedly the first task is to secure that there shall be no delay in finding any single detail, since an idea which is to lead by association to some other idea requires to be fixed in the mind with more than ordinary certitude. The next step 19 is to distinguish something which has been written down or merely thought of by some particular symbol which will serve to jog the memory; this symbol may have reference to the subject as a whole, it may, for example, be drawn from navigation, warfare, etc., or it may, on the other hand, be found in some particular word. (For even in cases of forgetfulness one single word will serve to

BOOK XI. II. 19-22

restore the memory.) However, let us suppose that the symbol is drawn from navigation, as, for instance, an anchor; or from warfare, as, for example, some weapon. These symbols are then arranged as follows. 20 The first thought is placed, as it were, in the forecourt; the second, let us say, in the living-room; the remainder are placed in due order all round the *impluvium*¹ and entrusted not merely to bedrooms and parlours, but even to the care of statues and the like. This done, as soon as the memory of the facts requires to be revived, all these places are visited in turn and the various deposits are demanded from their custodians, as the sight of each recalls the respective details. Consequently, however large the number of these which it is required to remember, all are linked one to the other like dancers hand in hand, and there can be no mistake since they join what precedes to what follows, no trouble being required except the preliminary labour of committing the various points to memory. What 21 I have spoken of as being done in a house, can equally well be done in connexion with public buildings, a long journey, the ramparts of a city, or even pictures. Or we may even imagine such places to ourselves. We require, therefore, places, real or imaginary, and images or symbols, which we must, of course, invent for ourselves. By images I mean the words by which we distinguish the things which we have to learn by heart: in fact, as Cicero says, we use "places like wax tablets and symbols in lieu of letters."² It will be best to 22 give his words *verbatim*:³ "We must for this purpose employ a number of remarkable places, clearly envisaged and separated by short intervals: the

BOOK XI. II. 22-25

images which we use must be active, sharply-cut and distinctive, such as may occur to the mind and strike it with rapidity." This makes me wonder all the more, how Metrodorus¹ should have found three hundred and sixty different localities in the twelve signs of the Zodiac through which the sun passes. It was doubtless due to the vanity and boastfulness of a man who was inclined to vaunt his memory as being the result of art rather than of natural gifts.

I am far from denying that those devices may be 23 useful for certain purposes, as, for example, if we have to reproduce a number of names in the order in which we heard them. For those who use such aids place the things which have to be remembered in localities which they have previously fixed in the memory; they put a table, for instance, in the forecourt, a platform in the hall and so on with the rest, and then, when they retrace their steps, they find the objects where they had placed them. Such 24 a practice may perhaps have been of use to those who, after an auction, have succeeded in stating what object they had sold to each buyer, their statements being checked by the books of the money-takers; a feat which it is alleged was performed by Hortensius. It will, however, be of less service in learning the various parts of a set speech. For thoughts do not call up the same images as material things, and a symbol requires to be specially invented for them, although even here a particular place may serve to remind us, as, for example, of some conversation that may have been held there. But how can such a method grasp a whole series of connected words? I pass by the fact that there are 25 certain things which it is impossible to represent by

BOOK XI. II. 25-28

symbols, as, for example, conjunctions. We may, it is true, like shorthand writers, have definite symbols for everything, and may select an infinite number of places to recall all the words contained in the five books of the second pleading against Verres, and we may even remember them all as if they were deposits placed in safe-keeping. But will not the flow of our speech inevitably be impeded by the double task imposed upon our memory? For how 26 can our words be expected to flow in connected speech, if we have to look back at separate symbols for each individual word? Therefore the experts mentioned by Cicero¹ as having trained their memory by methods of this kind, namely Charmadas, and Metrodorus of Scepsis, to whom I have just referred, may keep their systems for their own use. My precepts on the subject shall be of a simpler kind.

If a speech of some length has to be committed 27 to memory, it will be well to learn it piecemeal, since there is nothing so bad for the memory as being overburdened. But the sections into which we divide it for this purpose should not be very short: otherwise they will be too many in number, and will break up and distract the memory. I am not, however, prepared to recommend any definite length; it will depend on the natural limits of the passage concerned, unless, indeed, it be so long as itself to require subdivision. But some limits must be fixed to enable us, 28 by dint of frequent and continuous practice, to connect the words in their proper order, which is a task of no small difficulty, and subsequently to unite the various sections into a whole when we go over them in order. If certain portions prove especially difficult to

remember, it will be found advantageous to indicate them by certain marks, the remembrance of which will refresh and stimulate the memory. For there can 29 be but few whose memory is so barren that they will fail to recognise the symbols with which they have marked different passages. But if anyone is slow to recognise his own signs, he should employ the following additional remedy, which, though drawn from the mnemonic system discussed above,¹ is not without its uses: he will adapt his symbols to the nature of the thoughts which tend to slip from his memory, using an anchor, as I suggested above, if he has to speak of a ship, or a spear, if he has to speak of a battle. For symbols are highly efficacious, and one idea 30 suggests another: for example, if we change a ring from one finger to another or tie a thread round it, it will serve to remind us of our reason for so doing. Specially effective are those devices which lead the memory from one thing to another similar thing which we have got to remember; for example, in the case of names, if we desire to remember the name Fabius, we should think of the famous Cunctator, whom we are certain not to forget, or of some friend bearing the same name. This is specially easy with names 31 such as Aper, Ursus, Naso, or Crispus,² since in these cases we can fix their origin in our memory. Origin again may assist us to a better remembrance of derivative names, such as Cicero, Verrius, or Aurelius.³ However, I will say no more on this point.

There is one thing which will be of assistance to 32 everyone, namely, to learn a passage by heart from the same tablets on which he has committed it to writing. For he will have certain tracks to guide

him in his pursuit of memory, and the mind's eye will be fixed not merely on the pages on which the words were written, but on individual lines, and at times he will speak as though he were reading aloud. Further, if the writing should be interrupted by some erasure, addition or alteration, there are certain symbols available, the sight of which will prevent us from wandering from the track. This device bears 33 some resemblance to the mnemonic system which I mentioned above, but if my experience is worth anything, is at once more expeditious and more effective. The question has been raised as to whether we should learn by heart in silence; it would be best to do so, save for the fact that under such circumstances the mind is apt to become indolent, with the result that other thoughts break in. For this reason the mind should be kept alert by the sound of the voice, so that the memory may derive assistance from the double effort of speaking and listening. But our voice should be subdued, rising scarcely above a murmur. On the other hand, if we 34 attempt to learn by heart from another reading aloud, we shall find that there is both loss and gain; on the one hand, the process of learning will be slower, because the perception of the eye is quicker than that of the ear, while, on the other hand, when we have heard a passage once or twice, we shall be in a position to test our memory and match it against the voice of the reader. It is, indeed, important for other reasons to test ourselves thus from time to time, since continuous reading has this drawback, that it passes over the passages which we find hard to remember at the same speed as those which we find less difficulty in retaining. By testing ourselves to see 35

whether we remember a passage, we develop greater concentration without waste of time over the repetition of passages which we already know by heart. Thus, only those passages which tend to slip from the memory are repeated with a view to fixing them in the mind by frequent rehearsal, although as a rule the mere fact that they once slipped our memory makes us ultimately remember them with special accuracy. Both learning by heart and writing have this feature in common: namely, that good health, sound digestion, and freedom from other preoccupations of mind contribute largely to the success of both. But for the purpose of getting a real grasp 36 of what we have written under the various heads, division and artistic structure will be found of great value, while, with the exception of practice, which is the most powerful aid of all, they are practically the only means of ensuring an accurate remembrance of what we have merely thought out. For correct division will be an absolute safeguard against error in the order of our speech, since there are certain points 37 not merely in the distribution of the various questions in our speech, but also in their development (provided we speak as we ought), which naturally come first, second, and third, and so on, while the connexion will be so perfect that nothing can be omitted or inserted without the fact of the omission or insertion being obvious. We are told that Scaevola, 38 after a game of draughts in which he made the first move and was defeated, went over the whole game again in his mind on his way into the country, and on recalling the move which had cost him the game, returned to tell the man with whom he had been playing, and the latter acknowledged that he was

right. Is order, then, I ask you, to be accounted of less importance in a speech, in which it depends entirely on ourselves, whereas in a game our opponent has an equal share in its development? Again, if 39 our structure be what it should, the artistic sequence will serve to guide the memory. For just as it is easier to learn verse than prose, so it is easier to learn prose when it is artistically constructed than when it has no such organisation. If these points receive attention, it will be possible to repeat *verbatim* even such passages as gave the impression of being delivered extempore. My own memory is of a very ordinary kind, but I found that I could do this with success on occasions when the interruption of a declamation by persons who had a claim to such a courtesy forced me to repeat part of what I had said. There are persons still living, who were then present to witness if I lie.

However, if anyone asks me what is the one 40 supreme method of memory, I shall reply, practice and industry. The most important thing is to learn much by heart and to think much, and, if possible, to do this daily, since there is nothing that is more increased by practice or impaired by neglect than memory. Therefore boys should, as I have already 41 urged,¹ learn as much as possible by heart at the earliest stage, while all who, whatever their age, desire to cultivate the power of memory, should endeavour to swallow the initial tedium of reading and re-reading what they have written or read, a process which we may compare to chewing the cud. This task will be rendered less tiresome if we begin by confining ourselves to learning only a little at a time, in amounts not sufficient to create disgust: we

may then proceed to increase the amount by a line a day, an addition which will not sensibly increase the labour of learning, until at last the amount we can attack will know no limits. We should begin with poetry and then go on to oratory, while finally we may attempt passages still freer in rhythm and less akin to ordinary speech, such, for example, as passages from legal writers. For passages intended 42 as an exercise should be somewhat difficult in character if they are to make it easy to achieve the end for which the exercise is designed; just as athletes train the muscles of their hands by carrying weights of lead, although in the actual contests their hands will be empty and free. Further, I must not omit the fact, the truth of which our daily practice will teach us, that in the case of the slower type of mind the memory of recent events is far from being exact. It is 43 a curious fact, of which the reason is not obvious, that the interval of a single night will greatly increase the strength of the memory, whether this be due to the fact that it has rested from the labour, the fatigue of which constituted the obstacle to success, or whether it be that the power of recollection, which is the most important element of memory, undergoes a process of ripening and maturing during the time which intervenes. Whatever the cause, things which could not be recalled on the spot are easily co-ordinated the next day, and time itself, which is generally accounted one of the causes of forgetfulness, actually serves to strengthen the memory. On the other hand, the abnormally rapid 44 memory fails as a rule to last and takes its leave as though, its immediate task accomplished, it had no further duties to perform. And indeed there is

BOOK XI. II. 44-47

nothing surprising in the fact that things which have been implanted in the memory for some time should have a greater tendency to stay there.

The difference between the powers of one mind and another, to which I have just referred, gives rise to the question whether those who are intending to speak should learn their speeches *verbatim* or whether it is sufficient to get a good grasp of the essence and the order of what they have got to say. To this problem no answer is possible that will be of universal application. Give me a reliable memory and plenty of time, and I should prefer not to permit a single syllable to escape me: otherwise writing would be superfluous. It is specially important to train the young to such precision, and the memory should be continually practised to this end, that we may never learn to become indulgent to its failure. For this reason I regard it as a mistake to permit the student to be prompted or to consult his manuscript, since such practices merely encourage carelessness, and no one will ever realise that he has not got his theme by heart, if he has no fear of forgetting it. It is this which causes interruptions in the flow of speech and makes the orator's language halting and jerky, while he seems as though he were learning what he says by heart and loses all the grace that a well-written speech can give, simply by the fact that he makes it obvious that he has written it. On the other hand, a good memory will give us credit for quickness of wit as well, by creating the impression that our words have not been prepared in the seclusion of the study, but are due to the inspiration of the moment, an impression which is of the utmost assistance both to the orator and to his cause. For 47

the judge admires those words more and fears them less which he does not suspect of having been specially prepared beforehand to outwit him. Further, we must make it one of our chief aims in pleading to deliver passages which have been constructed with the utmost care, in such manner as to make it appear that they are but casually strung together, and to suggest that we are thinking out and hesitating over words which we have, as a matter of fact, carefully prepared in advance.

It should now be clear to all what is the best 48 course to adopt for the cultivation of memory. If, however, our memory be naturally somewhat dull or time presses, it will be useless to tie ourselves down rigidly to every word, since if we forget any one of them, the result may be awkward hesitation or even a tongue-tied silence. It is, therefore, far safer to secure a good grasp of the facts themselves and to leave ourselves free to speak as we will. For the loss of even a single word that we 49 have chosen is always a matter for regret, and it is hard to supply a substitute when we are searching for the word that we had written. But even this is no remedy for a weak memory, except for those who have acquired the art of speaking extempore. But if both memory and this gift be lacking, I should advise the would-be orator to abandon the toil of pleading altogether and, if he has any literary capacity, to betake himself by preference to writing. But such a misfortune will be of but rare occurrence.

For the rest there are many historical examples 50 of the power to which memory may be developed by natural aptitude and application. Themistocles is said to have spoken excellently in Persian after a

year's study; Mithridates is recorded to have known twenty-two languages, that being the number of the different nations included in his empire; ¹ Crassus, surnamed the Rich, ² when commanding in Asia had such a complete mastery of five different Greek dialects, that he would give judgement in the dialect employed by the plaintiff in putting forward his suit; Cyrus is believed to have known the name of every soldier in his army, while Theodectes ³ is 51 actually said to have been able to repeat any number of verses after only a single hearing. I remember that it used to be alleged that there were persons still living who could do the same, though I never had the good fortune to be present at such a performance. Still, we shall do well to have faith in such miracles, if only that he who believes may also hope to achieve the like.

III. *Delivery* is often styled *action*. But the first name is derived from the voice, the second from the gesture. For Cicero in one passage ⁴ speaks of *action* as being a *form of speech*, and in another ⁵ as being a *kind of physical eloquence*. None the less, he divides action into two elements, which are the same as the elements of delivery, namely, voice and movement. Therefore, it matters not which term we employ. But the thing itself has an extra- 2 ordinarily powerful effect in oratory. For the nature of the speech that we have composed within our minds is not so important as the manner in which we produce it, since the emotion of each member of our audience will depend on the impression made upon his hearing. Consequently, no proof, at least if it be one devised by the orator himself, will ever be so secure as not to lose its force

BOOK XI. III. 2-7

if the speaker fails to produce it in tones that drive it home. All emotional appeals will inevitably fall flat, unless they are given the fire that voice, look, and the whole carriage of the body can give them. For when we have done all this, we may still account ourselves only too fortunate if we have succeeded in communicating the fire of our passion to the judge: consequently, we can have no hope of moving him if we speak with languor and indifference, nor of preventing him from yielding to the narcotic influence of our own yawns. A proof of this is given by actors in the theatre. For they add so much to the charm even of the greatest poets, that the verse moves us far more when heard than when read, while they succeed in securing a hearing even for the most worthless authors, with the result that they repeatedly win a welcome on the stage that is denied them in the library. Now if delivery can count for so much in themes which we know to be fictitious and devoid of reality, as to arouse our anger, our tears or our anxiety, how much greater must its effect be when we actually believe what we hear? For my own part I would not hesitate to assert that a mediocre speech supported by all the power of delivery will be more impressive than the best speech unaccompanied by such power. It was for this reason that Demosthenes, when asked what was the most important thing in oratory, gave the palm to delivery and assigned it second and third place as well, until his questioner ceased to trouble him. We are therefore almost justified in concluding that he regarded it not merely as the first, but as the only virtue of oratory. This explains why he studied

BOOK XI. III. 7-10

under the instruction of the actor Andronicus with such diligence and success as thoroughly to justify the remark made by Aeschines to the Rhodians when they expressed their admiration of the speech of Demosthenes on behalf of Ctesiphon, "What would you have said if you had heard him yourselves?"¹ Cicero likewise regards *action* as the supreme element of oratory. He records that Gnaeus Lentulus ~~ac-~~⁸quired a greater reputation by his delivery than by his actual eloquence, and that Gaius Gracchus by the same means stirred the whole Roman people to tears when he bewailed his brother's death, while Antonius and Crassus produced a great impression by their command of this quality, though the greatest of all was that produced by Quintus Hortensius.² This statement is strongly supported by the fact that the latter's writings fall so far short of the reputation which for so long secured him the first place among orators, then for a while caused him to be regarded as Cicero's rival, and finally, for the remainder of his life assigned him a position second only to that of Cicero, that his speaking must clearly have possessed some charm which we fail to find when we read him. And, indeed, since words in themselves count for ⁹ much and the voice adds a force of its own to the matter of which it speaks, while gesture and motion are full of significance, we may be sure of finding something like perfection when all these qualities are combined.

There are some, however, who consider that de- ¹⁰livery which owes nothing to art and everything to natural impulse is more forcible, and in fact the only form of delivery which is worthy of a manly speaker.

BOOK XI. III. 10-14

But these persons are as a rule identical, either with those who are in the habit of disapproving of care, art, polish and every form of premeditation in actual speaking, as being affected and unnatural, or else with those who (like Lucius Cotta, according to Cicero)¹ affect the imitation of ancient writers both in their choice of words and even in the rudeness of their intonation and rhythm. Those, however, who 11 think it sufficient for men to be born to enable them to become orators, are welcome to their opinion, and I must ask them to be indulgent to the efforts to which I am committed by my belief that we cannot hope to attain perfection unless nature is assisted by study. But I will not be so obstinate as to deny 12 that to nature must be assigned the first place. For a good delivery is undoubtedly impossible for one who cannot remember what he has written, or lacks the quick facility of speech required by sudden emergencies, or is hampered by incurable impediments of speech. Again, physical uncouthness may be such that no art can remedy it, while a weak 13 voice is incompatible with first-rate excellence in delivery. For we may employ a good, strong voice as we will; whereas one that is ugly or feeble not only prevents us from producing a number of effects, such as a *crescendo* or a sudden *fortissimo*, but at times forces faults upon us, making us drop the voice, alter its pitch and refresh the hoarseness of the throat and fatigue of the lungs by a hideous chanting intonation. However, let me now turn to consider the speaker on whom my precepts will not be wasted.

All delivery, as I have already said, is concerned 14 with two different things, namely, voice and gesture,

of which the one appeals to the eye and the other to the ear, the two senses by which all emotion reaches the soul. But the voice has the first claim on our attention, since even our gesture is adapted to suit it.

The first point which calls for consideration is the nature of the voice, the second the manner in which it is used. The nature of the voice depends on its quantity and quality. The question of quantity is the simpler of the two, since as a rule it is either strong or weak, although there are certain kinds of voice which fall between these extremes, and there are a number of gradations from the highest notes to the lowest and from the lowest to the highest. Quality, on the other hand, presents more variations; for the voice may be clear or husky, full or thin, smooth or harsh, of wide or narrow compass, rigid or flexible, and sharp or flat, while lung-power may be great or small. It is not necessary for my purpose to enquire into the causes which give rise to these peculiarities. I need not raise the question whether the difference lies in those organs by which the breath is produced, or in those which form the channels for the voice itself; whether the voice has a character of its own or depends on the motions which produce it; whether it be the strength of the lungs, chest or the vocal organs themselves that affords it most assistance, since the co-operation of all these organs is required. For example, it is not the mouth only that produces sweetness of tone; it requires the assistance of the nostrils as well, which carry off what I may describe as the overflow of the voice. The important fact is that the tone must be agreeable and not harsh. The methods of using the

voice present great variety. For in addition to the triple division of accents into sharp, grave and circumflex, there are many other forms of intonation which are required: it may be intense or relaxed, high or low, and may move in slow or quick time. But here again there are many intermediate 18 gradations between the two extremes, and just as the face, although it consists of a limited number of features, yet possesses infinite variety of expression, so it is with the voice: for though it possesses but few varieties to which we can give a name, yet every human being possesses a distinctive voice of his own, which is as easily distinguished by the ear as are facial characteristics by the eye.

The good qualities of the voice, like everything 19 else, are improved by training and impaired by neglect. But the training required by the orator is not the same as that which is practised by the singing-master, although the two methods have many points in common. In both cases physical robustness is essential to save the voice from dwindling to the feeble shrillness that characterises the voices of eunuchs, women and invalids, and the means for creating such robustness are to be found in walking, rubbing-down with oil, abstinence from sexual intercourse, an easy digestion, and, in a word, in the simple life. Further, the throat must be sound, 20 that is to say, soft and smooth; for if the throat be unsound, the voice is broken or dulled or becomes harsh or squeaky. For just as the sound produced in the pipe by the same volume of breath varies according as the stops are closed or open, or the instrument is clogged or cracked, so the voice is strangled if the throat be swollen, and muffled if it

is obstructed, while it becomes rasping if the throat is inflamed, and may be compared to an organ with broken pipes in cases where the throat is subject to spasms. Again, the presence of some obstacle may 21 divide the breath just as a pebble will divide shallow waters, which, although their currents unite again soon after the obstruction is past, still leave a hollow space in rear of the object struck. An excess of moisture also impedes the voice, while a deficiency weakens it. As regards fatigue, its effect is the same as upon the body : it affects the voice not merely at the moment of speaking, but for some time afterwards. But while exercise, which gives strength in 22 all cases, is equally necessary both for orators and singing-masters, it is a different kind of exercise which they require. For the orator is too much occupied by civil affairs to be able to allot fixed times for taking a walk, and he cannot tune his voice through all the notes of the scale nor spare it exertion, since it is frequently necessary for him to speak in several cases in succession. Nor is the 23 same régime suitable as regards food : for the orator needs a strong and enduring voice rather than one which is soft and sweet, while the singer mellows all sounds, even the highest, by the modulation of his voice, whereas we have often to speak in harsh and agitated tones, must pass wakeful nights, swallow the soot that is produced by the midnight oil and stick to our work though our clothes be dripping with sweat. Consequently, we must not attempt to 24 mellow our voice by coddling it nor accustom it to the conditions which it would like to enjoy, but rather give it exercise suited to the tasks on which it will be employed, never allowing it to be impaired

BOOK XI. III. 24-28

by silence, but strengthening it by practice, which removes all difficulties. The best method for securing such exercise is to learn passages by heart (for if we have to speak extempore, the passion inspired by our theme will distract us from all care for our voice), while the passages selected for the purpose should be as varied as possible, involving a combination of loud, argumentative, colloquial and modulated utterance, so that we may prepare ourselves for all exigencies simultaneously. This will be sufficient. Otherwise your delicate, overtrained voice will succumb before any unusual exertion, like bodies accustomed to the oil of the training school, which for all the imposing robustness which they display in their own contests, yet, if ordered to make a day's march with the troops, to carry burdens and mount guard at night, would faint beneath the task and long for their trainers to rub them down with oil and for the free perspiration of the naked limbs. Who would tolerate me if in a work such as this I were to prescribe avoidance of exposure to sun, wind, rain or parching heat? If we are called upon to speak in the sun or on a windy, wet or warm day, is that a reason for deserting the client whom we have undertaken to defend? While as for the warning given by some that the orator should not speak when dyspeptic, replete or drunk, or immediately after vomiting, I think that no sane person would dream of declaiming under such circumstances. There is, however, good reason for the rule prescribed by all authorities, that the voice should not be overstrained in the years of transition between boyhood and manhood, since at that period it is naturally weak, not, I think, on account of heat, as some allege (for there

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is more heat in the body at other periods), but rather on account of moisture, of which at that age there is a superabundance. For this reason the nostrils and 29 the breast swell at this stage, and all the organs develop new growth, with the result that they are tender and liable to injury. However, to return to the point, the best and most realistic form of exercise for the voice, once it has become firm and set, is, in my opinion, the practice of speaking daily just as we plead in the courts. For thus, not merely do the voice and lungs gain in strength, but we acquire a becoming deportment of the body and develop grace of movement suited to our style of speaking.

The rules for delivery are identical with those for the 30 language of oratory itself. For, as our language must be correct, clear, ornate and appropriate, so with our delivery; it will be correct, that is, free from fault, if our utterance be fluent, clear, pleasant and "urbane," that is to say, free from all traces of a rustic or a foreign accent. For there is good reason for the saying we so 31 often hear, "He must be a barbarian or a Greek": since we may discern a man's nationality from the sound of his voice as easily as we test a coin by its ring. If these qualities be present, we shall have those harmonious accents of which Ennius¹ expresses his approval when he describes Cethegus as one whose "words rang sweetly," and avoid the opposite effect, of which Cicero² expresses his disapproval by saying, "They bark, not plead." For there are many faults of which I spoke in the first book³ when I discussed the method in which the speech of children should be formed, since I thought it more appropriate to mention them in connexion with a period of life when it is still possible to correct them. Again, the 32

delivery may be described as correct if the voice be sound, that is to say, exempt from any of the defects of which I have just spoken, and if it is not dull, coarse, exaggerated, hard, stiff, hoarse or thick, or again, thin, hollow; sharp, feeble, soft or effeminate, and if the breath is neither too short nor difficult to sustain or recover.

The delivery will be clear if, in the first place, the 33 words are uttered in their entirety, instead of being swallowed or clipped, as is so often the case, since too many people fail to complete the final syllables through over-emphasising the first. But although words must be given their full phonetic value, it is a tiresome and offensive trick to pronounce every letter as if we were entering them in an inventory. For 34 vowels frequently coalesce and some consonants disappear when followed by a vowel. I have already¹ given an example of both these occurrences:—*multum ille et terris*.² Further, we avoid placing two 35 consonants near each other when their juxtaposition would cause a harsh sound; thus, we say *pellexit* and *collegit* and employ other like forms of which I have spoken elsewhere.³ It is with this in mind that Cicero⁴ praises Catulus for the sweetness with which he pronounced the various letters. The second essential for clearness of delivery is that our language should be properly punctuated, that is to say, the speaker must begin and end at the proper place. It is also necessary to note at what point our speech should pause and be momentarily suspended (which the Greeks term ὑποδιαστολή and ὑποστιγμή)⁵ and when it should come to a full stop. After the words *arma virumque cano*⁶ there is a mo- 36 mentary suspension, because *virum* is connected with

what follows, the full sense being given by *virum Troiae qui primus ab oris*, after which there is a similar suspension. For although the mention of the hero's destination introduces an idea different from that of the place whence he came, the difference does not call for the insertion of a stop, since both ideas are expressed by the same verb *venit*. After *Italiam* 37 comes a third pause, since *fato profugus* is parenthetical and breaks up the continuity of the phrase *Italiam Lavinaque*. For the same reason there is a fourth pause after *profugus*. Then follows *Lavinaque venit litora*, where a stop must be placed, as at this point a new sentence begins. But stops themselves vary in length, according as they mark the conclusion of a phrase or a sentence. Thus after *litora* I shall 38 pause and continue after taking breath. But when I come to *atque altae moenia Romae* I shall make a full stop, halt and start again with the opening of a fresh sentence. There are also occasionally, even in 39 periods, pauses which do not require a fresh breath. For although the sentence *in coetu vero populi Romani, negotium publicum gerens, magister equitum*,¹ etc., contains a number of different *cola*,² expressing a number of different thoughts, all these *cola* are embraced by a single period: consequently, although short pauses are required at the appropriate intervals, the flow of the period as a whole must not be broken. On the other hand, it is at times necessary to take breath without any perceptible pause: in such cases we must do so surreptitiously, since if we take breath unskilfully, it will cause as much obscurity as would have resulted from faulty punctuation. Correctness of punctuation may seem to be but a trivial merit, but without it all the other merits of oratory are nothing worth.

BOOK XI. III. 40-43

Delivery will be ornate when it is supported by 40
 a voice that is easy, strong, rich, flexible, firm, sweet,
 enduring, resonant, pure, carrying far and penetrat-
 ing the ear (for there is a type of voice which
 impresses the hearing not by its volume, but by its
 peculiar quality): in addition, the voice must be
 easily managed and must possess all the necessary
 inflexions and modulations, in fact it must, as the
 saying is, be a perfect instrument, equipped with
 every stop: further, it must have strong lungs to
 sustain it, and ample breathing power that will be
 equal to all demands upon it, however fatiguing. The 41
 deepest bass and the highest treble notes are un-
 suited to oratory: for the former lack clearness and,
 owing to their excessive fullness, have no emotional
 power, while the latter are too thin and, owing to
 excess of clearness, give an impression of extrava-
 gance and are incompatible with the inflexions
 demanded by delivery and place too great a strain
 upon the voice. For the voice is like the strings of 42
 a musical instrument; the slacker it is the deeper
 and fuller the note produced, whereas if it be
 tightened, the sound becomes thinner and shriller.
 Consequently, the deepest notes lack force, and the
 higher run the risk of cracking the voice. The orator
 will, therefore, employ the intermediate notes, which
 must be raised when we speak with energy and
 lowered when we adopt a more subdued tone.

For the first essential of a good delivery is even- 43
 ness. The voice must not run joltingly, with
 irregularity of rhythm and sound, mixing long and
 short syllables, grave accents and acute, tones loud
 and low, without discrimination, the result being that
 this universal unevenness produces the impression of

a limping gait. The second essential is variety of tone, and it is in this alone that delivery really consists. I must warn my readers not to fall into the 44 error of supposing that evenness and variety are incompatible with one another, since the fault opposed to evenness is unevenness, while the opposite of variety is that which the Greeks term *μονοειδεια*, or uniformity of aspect. The art of producing variety not merely charms and refreshes the ear, but, by the very fact that it involves a change of effort, revives the speaker's flagging energies. It is like the relief caused by changes in position, such as are involved by standing, walking, sitting and lying, none of which can be endured for a long time together. But the most important point (which I shall proceed 45 to discuss a little later) is the necessity of adapting the voice to suit the nature of the various subjects on which we are speaking and the moods that they demand : otherwise our voice will be at variance with our language. We must, therefore, avoid that which the Greeks call *monotony*, that is to say, the unvarying exertion both of lungs and voice. By this I do not simply mean that we must avoid saying everything in a loud tone, a fault which amounts to madness, or in a colloquial tone, which creates an impression of lifelessness, or in a subdued murmur, which is utterly destructive of all vigour. What I 46 mean is this : within the limits of one passage and the compass of one emotion we may vary our tone to a certain, though not a very great extent, according as the dignity of the language, the nature of the thought, the conclusion and opening of our sentences or transitions from one point to another, may demand. Thus, those who paint in monochrome

still represent their objects in different planes, since otherwise it would have been impossible to depict even the limbs of their figures. Let us take as an 47 example the opening of Cicero's magnificent speech in defence of Milo. Is it not clear that the orator has to change his tone almost at every stop? it is the same face, but the expression is changed. *Etsi vereor, iudices, ne turpe sit, pro fortissimo viro dicere incipientem* 48 *timere*.¹ Although the general tone of the passage is restrained and subdued, since it is not merely an *exordium*, but the *exordium* of a man suffering from serious anxiety, still something fuller and bolder is required in the tone, when he says *pro fortissimo viro*, than when he says *etsi vereor* and *turpe sit* and *timere*. But his second breath must be more vigorous, partly 49 owing to the natural increase of effort, since we always speak our second sentence with less timidity, and partly because he indicates the high courage of Milo: *minimeque deceat, cum T. Annius ipse magis de rei publicae salute quam de sua perturbetur*. Then he proceeds to something like a reproof of himself: *me ad eius causam parem animi magnitudinem adferre non posse*. The next clause suggests a reflexion on the 50 conduct of others: *tamen haec novi iudicii nova forma terret oculos*. And then in what follows he opens every stop, as the saying is: *qui, quocumque inciderunt, consuetudinem fori et pristinum morem iudiciorum requirunt*: while the next clause is even fuller and freer: *non enim corona consessus vester cinctus est, ut solebat*. I have called attention to these points to make it 51 clear that there is a certain variety, not merely in customary aspect of the forum and the time-honoured usage of the courts. For your bench is not surrounded, as it used to be, by a ring of spectators," etc.

the delivery of *cola*, but even in that of phrases consisting of one word, a variety the lack of which would make every word seem of equal importance.

The voice, however, must not be pressed beyond its powers, for it is liable to be choked and to become less and less clear in proportion to the increase of effort, while at times it will break altogether and produce the sound to which the Greeks have given a name derived from the crowing of cocks before the voice is developed.¹ We must also beware of con- 52 fusing our utterance by excessive volubility, which results in disregard of punctuation, loss of emotional power, and sometimes in the clipping of words. The opposite fault is excessive slowness of speech, which is a sign of lack of readiness in invention, tends by its sluggishness to render our hearers inattentive, and, further, wastes the time allotted to us for speaking,² a consideration which is of some importance. Our speech must be ready, but not precipitate, under control, but not slow, while we must not take breath 53 so often as to break up our sentence, nor, on the other hand, sustain it until it fails us from exhaustion. For the sound produced by loss of breath is disagreeable; we gasp like a drowning man and fill our lungs with long-drawn inhalations at inappropriate moments, giving the impression that our action is due not to choice, but to compulsion. Therefore, in attacking a period of abnormal length, we should collect our breath, but quickly, noiselessly and imperceptibly. On other occasions we shall be able to take breath at the natural breaks in the substance of our speech. But we must exercise our breathing capacity to make 54 it as great as possible. To produce this result Demosthenes used to recite as many successive lines as

possible, while he was climbing a hill. He also, with a view to securing fluency free from impediment, used to roll pebbles under his tongue when speaking in the privacy of his study. Sometimes the breath, 55 although capable of sustained effort and sufficiently full and clear, lacks firmness when exerted, and for that reason is liable to become tremulous, like bodies which, although to all appearances sound, receive insufficient support from the sinews. This the Greeks call *βρασμός*.¹ There are some too who, owing to the loss of teeth, do not draw in the breath naturally, but suck it in with a hissing sound. There are others who pant incessantly and so loudly that it is perfectly audible within them: they remind one of heavily-laden beasts of burden straining against the yoke. Some indeed actually affect this man- 56 nerism, as though to suggest that they are struggling with the host of ideas that crowd themselves upon them and oppressed by a greater flood of eloquence than their throats are capable of uttering. Others, again, find a difficulty in opening their mouths, and seem to struggle with their words; and, further, although they are not actually faults of the voice, yet since they arise out of the use of the voice, I think this is the most appropriate place for referring to the habit of coughing and spitting with frequency while speaking, of hawking up phlegm from the depths of the lungs, like water from a well,² sprinkling the nearest of the bystanders with saliva, and expelling the greater portion of the breath through the nostrils. But any of these faults 57 are tolerable compared with the practice of chanting instead of speaking, which is the worst feature of our modern oratory, whether in the courts or in the

schools, and of which I can only say that I do not know whether it is more useless or more repugnant to good taste. For what can be less becoming to an orator than modulations that recall the stage and a sing-song utterance which at times resembles the maudlin utterance of drunken revellers? What can be more fatal to any emotional appeal than that the speaker should, when the situation calls for grief, anger, indignation or pity, not merely avoid the expression of those emotions which require to be kindled in the judge, but outrage the dignity of the courts with noises such as are dear to the Lycians and Carians? For Cicero¹ has told us that the rhetoricians of Lycia and Caria come near to singing in their perorations. But, as a matter of fact, we have somewhat overstepped the limits imposed by the more restrained style of singing. I ask you, 59 does anyone sing, I will not say when his theme is murder, sacrilege or parricide, but at any rate when he deals with figures or accounts, or, to cut a long story short, when he is pleading in any kind of lawsuit whatever? And if such a form of intonation is to be permitted at all, there is really no reason why the modulations of the voice should not be accompanied by harps and flutes, or even by cymbals, which would be more appropriate to the revolting exhibitions of which I am speaking. And yet we 60 show no reluctance in indulging this vicious practice. For no one thinks his own singing hideous, and it involves less trouble than genuine pleading. There are, moreover, some persons who, in thorough conformity with their other vices, are possessed with a perpetual passion for hearing something that will soothe their ears. But, it may be urged, does not

Cicero¹ himself say that there is a suggestion of singing in the utterance of an orator? And is not this the outcome of a natural impulse? I shall shortly proceed to show to what extent such musical modulations are permissible: but if we are to call it singing, it must be no more than a suggestion of singing, a fact which too many refuse to realise.

But it is now high time for me to explain what I 61
mean by appropriate delivery. Such appropriateness obviously lies in the adaptation of the delivery to the subjects on which we are speaking. This quality is, in the main, supplied by the emotions themselves, and the voice will ring as passion strikes its chords. But there is a difference between true emotion on the one hand, and false and fictitious emotion on the other. The former breaks out naturally, as in the case of grief, anger or indignation, but lacks art, and therefore requires to be formed by methodical training. The latter, on the other hand, does imply 62
art, but lacks the sincerity of nature: consequently in such cases the main thing is to excite the appropriate feeling in oneself, to form a mental picture of the facts, and to exhibit an emotion that cannot be distinguished from the truth. The voice, which is the intermediary between ourselves and our hearers, will then produce precisely the same emotion in the judge that we have put into it. For it is the index of the mind, and is capable of expressing all its varieties of feeling. Therefore when we 63
deal with a lively theme, the flow of the voice is characterised by fullness, simplicity and cheerfulness; but when it is roused to battle, it puts forth all its strength and strains every nerve. In anger

it is fierce, harsh and intense, and calls for frequent filling of the lungs, since the breath cannot be sustained for long when it is poured forth without restraint. When it is desired to throw odium upon our opponents, it will be somewhat slower, since, as a rule, it is none save the weaker party takes refuge in such tactics. On the other hand, in flattery, admission, apology or question it will be gentle and subdued. If we advise, warn, promise or console, 64 it will be grave and dignified, modest if we express fear or shame, bold in exhortation, precise in argument, full of modulations, suggestive of tears and designedly muffled in appeals for pity, whereas in digression it will be full and flowing, and will have all the resonance that is characteristic of confidence; in exposition of facts or conversations it will be even and pitched half-way betwixt high and low. But it will be raised to express violent emotion, and 65 sink when our words are of a calmer nature, rising and falling according to the demands of its theme.

However, for the moment I will defer speaking of the variations in tone required by different topics, and will proceed first to the discussion of gesture which conforms to the voice, and like it, obeys the impulse of the mind. Its importance in oratory is sufficiently clear from the fact that there are many things which it can express without the assistance of words. For we can indicate our will not merely 66 by a gesture of the hands, but also with a nod from the head: signs take the place of language in the dumb, and the movements of the dance are frequently full of meaning, and appeal to the emotions without any aid from words. The temper of the mind can be inferred from the glance and gait,

and even speechless animals show anger, joy, or the desire to please by means of the eye and other physical indications. Nor is it wonderful that gesture which depends on various forms of movement should have such power, when pictures, which are silent and motionless, penetrate into our innermost feelings with such power that at times they seem more eloquent than language itself. On the other hand, if gesture and the expression of the face are out of harmony with the speech, if we look cheerful when our words are sad, or shake our heads when making a positive assertion, our words will not only lack weight, but will fail to carry conviction. Gesture and movement are also productive of grace. It was for this reason that Demosthenes used to practise his delivery in front of a large mirror, since, in spite of the fact that its reflexions are reversed, he trusted his eyes to enable him to judge accurately the effect produced.

The head, being the chief member of the body, has a corresponding importance in delivery, serving not merely to produce graceful effect, but to illustrate our meaning as well. To secure grace it is essential that the head should be carried naturally and erect. For a droop suggests humility, while if it be thrown back it seems to express arrogance, if inclined to one side it gives an impression of languor, while if it is held too stiffly and rigidly it appears to indicate a rude and savage temper. Further, it should derive appropriate motion from the subject of our pleading, maintaining harmony with the gesture and following the movement of the hands and side. For the eyes are always turned in the same direction as the gesture, except when we are called

BOOK XI. III 70-73

upon to condemn or concede something or to express abhorrence, when we shall show our aversion by turning away the face and by thrusting out our hands as though to repel the thought, as in the lines:

“Ye gods, such dread calamity avert!”¹

or

“Not for me
To claim such honour!”²

The methods by which the head may express our 71 meaning are manifold. For in addition to those movements which indicate consent, refusal and affirmation, there are those expressive of modesty, hesitation, wonder or indignation, which are well known and common to all. But to confine the gesture to the movement of the head alone is regarded as a fault by those who teach acting as well as by professors of rhetoric. Even the frequent nodding of the head is not free from fault, while to toss or roll it till our hair flies free is suggestive of a fanatic.

By far the greatest influence is exercised by the 72 glance. For it is by this that we express supplication, threats, flattery, sorrow, joy, pride or submission. It is on this that our audience hang, on this that they rivet their attention and their gaze, even before we begin to speak. It is this that inspires the hearer with affection or dislike, this that conveys a world of meaning and is often more eloquent than all our words. Consequently in plays 73 destined for the stage, the masters of the art of delivery design even their masks to enhance the emotional effect. Thus, in tragedy, Aerope will be

sad, Medea fierce, Ajax bewildered, Hercules truculent. In comedy, on the other hand, over and 74
 above the methods adopted to distinguish between slaves, pimps, parasites, rustics, soldiers, harlots, maidservants, old men stern and mild, youths moral or luxurious, married women and girls, we have the important rôle of the father who, because at times he is excited and at others calm, has one eyebrow raised and the other normal, the custom among actors being to turn that side of the face to the audience which best suits the rôle.) But of the 75
 various elements that go to form the expression, the eyes are the most important, since they, more than anything else, reveal the temper of the mind, and without actual movement will twinkle with merriment or be clouded with grief. And further, nature has given them tears to serve as interpreters of our feelings, tears that will break forth for sorrow or stream for very joy. But, when the eyes move, they become intent, indifferent, proud, fierce, mild, or angry; and they will assume all these characters according as the pleading may demand. But they 76
 must never be fixed or protruding, languid or sluggish, lifeless, lascivious, restless, nor swim with a moist voluptuous glance, nor look aslant nor leer in amorous fashion, nor yet must they seem to promise or ask a boon. As for keeping them fully or partially closed while speaking, surely none save an uneducated man or a fool would dream of doing such a thing. And in addition to all these forms of 77
 expression, the upper and lower eyelids can render service in support of the eyes. The eyebrows also 78
 may be used with great effect. For to some extent they mould the expression of the eyes and deter-

mine that of the forehead. It is by means of the eyebrows that we contract, raise or smooth the latter: in fact, the only thing which has greater influence over it is the blood, which moves in conformity with the emotions that control the mind, causing a blush on a skin that is sensitive to shame, and giving place to an icy pallor under the influence of fear, whereas, when it is under control, it produces a peaceful complexion, intermediate between the two. Complete immobility in the eyebrows is 79 a fault, as also is excess of mobility or the tendency to raise one and lower the other, as in the comic mask which I mentioned just now: while it is a further blemish if they express a feeling out of keeping with the words we utter. For they show anger by contraction, grief by depression and cheerfulness by their expansion. They are also dropped or raised to express consent or refusal respectively. It is not often that the lips or nostrils can be 80 becomingly employed to express our feelings, although they are often used to indicate derision, contempt or loathing. For to "wrinkle the nostrils" (as Horace says),¹ or blow them out, or twitch them, or fret them with our finger, or snort through them with a sudden expulsion of the breath, or stretch them wide or push them up with the flat of the hand are all indecorous, since it is not without reason that censure is passed even on blowing the nose too frequently. It is also an ugly habit to protrude the 81 lips, open them with a sudden smack,² compress them, draw them apart and bare the teeth, or twist them awry to one side till they almost reach the ear, or to curl them in scorn, or let them droop, or allow the voice to escape only on one side. It is

BOOK XI. III. 81-86

also unbecoming to lick or bite them, since their motion should be but slight even when they are employed in forming words. For we must speak with the mouth rather than the lips.

The neck must be straight, not stiff or bent 82 backward. As regards the throat, contraction and stretching are equally unbecoming, though in different ways. If it be stretched, it causes strain as well, and weakens and fatigues the voice, while if the chin be pressed down into the chest it makes the voice less distinct and coarsens it, owing to the pressure on the windpipe. It is, as a 83 rule, unbecoming to raise or contract the shoulders. For it shortens the neck and produces a mean and servile gesture, which is even suggestive of dishonesty when men assume an attitude of flattery, admiration or fear. In continuous and flowing pas- 84 sages a most becoming gesture is slightly to extend the arm with shoulders well thrown back and the fingers opening as the hand moves forward. But when we have to speak in specially rich or impressive style, as, for example, in the passage *saxa atque solitudines voci respondent*,¹ the arm will be thrown out in a stately sidelong sweep and the words will, as it were, expand in unison with the gesture. As 85 for the hands, without which all action would be crippled and enfeebled, it is scarcely possible to describe the variety of their motions, since they are almost as expressive as words. For other portions of the body merely help the speaker, whereas the hands may almost be said to speak. Do we not 86. use them to demand, promise, summon, dismiss, threaten, supplicate, express aversion or fear, question or deny? Do we not employ them to indicate joy,

sorrow, hesitation, confession, penitence, measure, quantity, number and time? Have they not power 87 to excite and prohibit, to express approval, wonder or shame? Do they not take the place of adverbs and pronouns when we point at places and things? In fact, though the peoples and nations of the earth speak a multitude of tongues, they share in common the universal language of the hands.

The gestures of which I have thus far spoken are 88 such as naturally proceed from us simultaneously with our words. But there are others which indicate things by means of mimicry. For example, you may suggest a sick man by mimicking the gesture of a doctor feeling the pulse, or a harpist by a movement of the hands as though they were plucking the strings. But this is a type of gesture which should be rigorously avoided in pleading. For 89 the orator should be as unlike a dancer as possible, and his gesture should be adapted rather to his thought than to his actual words, a practice which was indeed once upon a time even adopted by the more dignified performers on the stage. I should, therefore, permit him to direct his hand towards his body to indicate that he is speaking of himself, or to point it at some one else to whom he is alluding, together with other similar gestures which I need not mention. But, on the other hand, I would not allow him to use his hands to imitate attitudes or to illustrate anything he may chance to say. And this 90 rule applies not merely to the hands, but to all gesture and to the voice as well. For in delivering the period *stetit soleatus praetor populi Romani*,¹ it would be wrong to imitate Verres leaning on his mistress, or in uttering the phrase *caedebatur in medio*

*foro Messanae*¹ to make the side writhe, as it does when quivering beneath the lash, or to utter shrieks, such as are extorted by pain. For even comic actors 91 seem to me to commit a gross offence against the canons of their art when, if they have in the course of some narrative to quote either the words of an old man (as, for example, in the prologue to the *Hydria*),² or of a woman (as in the *Georgus*²), they utter them in a tremulous or a treble voice, notwithstanding the fact that they are playing the part of a young man. So true is it that certain forms of imitation may be a blemish even in those whose whole art consists in imitation.

One of the commonest of all the gestures consists 92 in placing the middle finger against the thumb and extending the remaining three: it is suitable to the *exordium*, the hand being moved forward with an easy motion a little distance both to right and left, while the head and shoulders gradually follow the direction of the gesture. It is also useful in the *statement of facts*, but in that case the hand must be moved with firmness and a little further forward, while, if we are reproaching or refuting our adversary, the same movement may be employed with some vehemence and energy, since such passages permit of greater freedom of extension. On the 93 other hand, this same gesture is often directed sideways towards the left shoulder: this is a mistake, although it is a still worse fault to thrust the arm across the chest and gesticulate with the elbow. The middle and third fingers are also sometimes turned under the thumb, producing a still more forcible effect than the gesture previously described, but not well adapted for use in the *exordium* or *state-*

ment of facts. But when three fingers are doubled 94
under the thumb, the finger, which Cicero¹ says
that Crassus used to such effect, is extended. It is
used in denunciation and in indication (whence its
name of index finger), while if it be slightly dropped
after the hand has been raised toward the shoulder,
it signifies affirmation, and if pointed as it were
face downwards toward the ground, it expresses
insistence. It is sometimes also used to indicate
number. Again, if its top joint is lightly gripped on 95
either side, with the two outer fingers slightly
curved, the little finger rather less than the third,
we shall have a gesture well suited for argument.
But for this purpose the same gesture is rendered
more emphatic by holding the middle joint of the
finger and contracting the last two fingers still
further to match the lower position of the middle
finger and thumb. The following gesture is admir- 96
ably adapted to accompany modest language: the
thumb and the next three fingers are gently con-
verged to a point and the hand is carried to the
neighbourhood of the mouth or chest, then relaxed
palm downwards and slightly advanced. It was 97
with this gesture that I believe Demosthenes to
have commenced the timid and subdued exordium
of his speech in defence of Ctesiphon, and it was,
I think, in such a position that Cicero² held his
hand, when he said, "If I have any talent, though
I am conscious how little it is." Slightly greater
freedom may be given to the gesture by pointing
the fingers down and drawing the hand in towards
the body and then opening it somewhat more rapidly
in the opposite direction, so that it seems as though
it were delivering our words to the audience. Some- 98

times we may hold the first two fingers apart without, however, inserting the thumb between them, the remaining two pointing inwards, while even the two former must not be fully extended. Sometimes, 99 again, the third and little finger may be pressed in to the palm near the base of the thumb, which in its turn is pressed against the middle joints of the first and middle fingers; at others the little finger is sometimes drooped obliquely, or the four fingers may be relaxed rather than extended and the thumb slanted inwards: this last gesture is well adapted to pointing to one side or marking the different points which we are making, the hand being carried palm-upwards to the left and swept back to the right face-downwards. The following short gestures are 100 also employed: the hand may be slightly hollowed as it is when persons are making a vow, and then moved slightly to and fro, the shoulders swaying gently in unison: this is adapted to passages where we speak with restraint and almost with timidity. Wonder is best expressed as follows: the hand turns slightly upwards and the fingers are brought in to the palm, one after the other, beginning with the little finger; the hand is then opened and turned round by a reversal of this motion. There are various 101 methods of expressing interrogation; but, as a rule, we do so by a turn of the hand, the arrangement of the fingers being indifferent. If the first finger touch the middle of the right-hand edge of the thumb-nail with its extremity, the other fingers being relaxed, we shall have a graceful gesture well suited to express approval or to accompany *statements of facts*, and to mark the distinction between our different points. There is another gesture not unlike 102

the preceding, in which the remaining three fingers are folded : it is much employed by the Greeks both for the left hand and the right, in rounding off their *enthymemes*,¹ detail by detail. A gentle movement of the hand expresses promise or assent, a more violent movement suggests exhortation or sometimes praise. There is also that familiar gesture by which we drive home our words, consisting in the rapid opening and shutting of the hand : but this is a common rather than an artistic gesture. Again, there is the 103 somewhat unusual gesture in which the hand is hollowed and raised well above the shoulder with a motion suggestive of exhortation. The tremulous motion now generally adopted by foreign schools is, however, fit only for the stage. I do not know why some persons disapprove of the movement of the fingers, with their tops converging, towards the mouth. For we do this when we are slightly surprised, and at times also employ it to express fear or entreaty when we are seized with sudden indignation. Further, we sometimes clench the hand and press 104 it to our breast when we are expressing regret or anger, an occasion when it is not unbecoming even to force the voice through the teeth in phrases such as "What shall I do now?" "What would you do?" To point at something with the thumb turned back is a gesture which is in general use, but is not, in my opinion, becoming to an orator. Motion is generally 105 divided into six kinds, but circular motion must be regarded as a seventh. The latter alone is faulty when applied to gesture. The remaining motions—that is, forward, to right or left and up or down—all have their significance, but the gesture is never directed to what lies behind us, though we do at

times throw the hand back. The best effect is produced by letting the motion of the hand start from the left and end on the right, but this must be done gently, the hand sinking to rest and avoiding all appearance of giving a blow, although at the end of a sentence it may sometimes be allowed to drop, but must quickly be raised again : or it may occasionally, when we desire to express wonder or dissent, spring back with a rapid motion. 108

In this connexion the earlier instructors in the art of gesture rightly added that the movement of the hand should begin and end with the thought that is expressed. Otherwise the gesture will anticipate or lag behind the voice, both of which produce an unpleasing effect. Some, through excess of subtlety, have erroneously prescribed that there should be an interval of three words between each movement ; but this rule is never observed, nor can it be. These persons, however, were desirous that there should be some standard of speed or slowness (a most rational desire), with a view to avoid prolonged inactivity on the part of the hands as well as the opposite fault, into which so many fall, of breaking up the natural flow of their delivery by continual motion. There is another still more common error, which is less easy of detection. Language possesses certain imperceptible stresses, indeed we might almost call them feet, to which the gesture of most speakers conforms. Thus there will be one movement at *novum crimen*, another at *Gai Caesar*, a third at *et ante hanc diem*, a fourth at *non auditum*, a fifth at *propinquus meus*, a sixth at *ad te* and others at *Quintus Tubero* and *detulit*.¹ From this springs a further error, namely, that young men, when writing out their speeches, 109

devise all their gestures in advance and consider as they compose how the hand is to fall at each particular point. A further unfortunate result is that the movement of the hand, which should end on the right, frequently finishes on the left. It is 110 therefore better, in view of the fact that all speech falls into a number of brief clauses, at the end of which we can take breath, if necessary, to arrange our gesture to suit these sections. For example, the words *novum crimen, Gai Caesar*, in a sense form a phrase complete in itself, since they are followed by a conjunction, while the next words, *et ante hanc diem non auditum*, are also sufficiently self-contained. To these phrases the motions of the hand must be conformed, before the speech has passed beyond the calmness of tone on which it opens. But when in- 111 creasing warmth of feeling has fired the orator, the gesture will become more frequent, in keeping with the impetus of the speech. Some places are best suited by a rapid, and others by a restrained delivery. In the one case we pass rapidly on, fire a volley of arguments and hurry upon our way; in the other, we drive home our points, force them on the hearer and implant them in his mind. But the slower the delivery, the greater its emotional power: thus Roscius was rapid and Aesopus weighty in his delivery, because the former was a comic and the latter a tragic actor. The same rule applies to the move- 112 ments. Consequently on the stage young men and old, soldiers and married women all walk sedately, while slaves, maidservants, parasites and fishermen are more lively in their movements. But instructors in the art of gesture will not permit the hand to be raised above the level of the eyes or lowered beneath

that of the breast; since it is thought a grave blemish to lift it to the top of the head¹ or lower it to the lower portions of the belly. It may be moved to the left 113 within the limits of the shoulder, but no further without loss of decorum. On the other hand, when, to express our aversion, we thrust our hand out to the left, the left shoulder must be brought forward in unison with the head, which will incline to the right. It is never correct to employ the left hand 114 alone in gesture, though it will often conform its motion to that of the right, as, for example, when we are counting our arguments on the fingers, or turn the palms of the hands to the left to express our horror of something, or thrust them out in front 115 or spread them out to right and left, or lower them in apology or supplication (though the gesture is not the same in these two cases), or raise them in adoration, or stretch them out in demonstration or invocation, as in the passage, "Ye hills and groves of Alba,²" or in the passage from Gracchus³: "Whither, alas! shall I turn me? To the Capitol? Nay, it is wet with my brother's blood. To my home?" etc. For 116 in such passages greater emotional effect is produced if both hands co-operate, short gestures being best adapted to matters of small importance and themes of a gentle or melancholy character, and longer gestures to subjects of importance or themes calling for joy or horror.

It is desirable also that I should mention the faults 117 in the use of the hands, into which even experienced pleaders are liable to fall. As for the gesture of demanding a cup, threatening a flogging, or indicating the number 500 by crooking the thumb,⁴ all of which are recorded by writers on the subject, I have never

BOOK XI. III. 117-121

seen them employed even by uneducated rustics. But I know that it is of frequent occurrence for a speaker to expose his side by stretching his arm too far, to be afraid in one case of extending his hand beyond the folds of his cloak, and in another to stretch it as far as it will go, to raise it to the roof, or by swinging it repeatedly over his left shoulder to deliver such a rain of blows to the rear that it is scarcely safe to stand behind him, or to make a circular sweep to the left, or by casting out his hand at random to strike the standers-by or to flap both elbows against his sides. There are others, again, whose hands are sluggish or tremulous or inclined to saw the air; sometimes, too, the fingers are crooked and brought down with a run from the top of the head, or tossed up into the air with the hand turned palm upwards. There is also a gesture, which consists in inclining the head to the right shoulder, stretching out the arm from the ear and extending the hand with the thumb turned down. This is a special favourite with those who boast that they speak "with uplifted hand." ¹ To these latter we may add those speakers who hurl quivering epigrams with their fingers or denounce with the hand up-raised, or rise on tiptoe, whenever they say something of which they are specially proud. This last proceeding may at times be adopted by itself, but they convert it into a blemish by simultaneously raising one or even two fingers as high as they can reach, or heaving up both hands as if they were carrying something. In addition to these faults, there are those which spring not from nature, but from nervousness, such as struggling desperately with our lips when they refuse to open, making inarticulate sounds, as

BOOK XI. III. 121-124

though something were sticking in our throat, when our memory fails us, or our thoughts will not come at our call; rubbing the end of our nose, walking up and down in the midst of an unfinished sentence, stopping suddenly and courting applause by silence, with many other tricks which it would take too long to detail, since everybody has his own particular faults. We must take care not to protrude the chest 122 or stomach, since such an attitude arches the back, and all bending backwards is unsightly. The flanks must conform to the gesture; for the motion of the entire body contributes to the effect: indeed, Cicero holds that the body is more expressive than even the hands. For in the *de Orator*¹ he says, "There must be no quick movements of the fingers, no marking time with the finger-tips, but the orator should control himself by the poise of the whole trunk and by a manly inclination of the side." Slapping the 123 thigh, which Cleon is said to have been the first to introduce at Athens, is in general use and is becoming as a mark of indignation, while it also excites the audience. Cicero² regrets its absence in Calidius, "There was no striking of the forehead," he complains, "nor of the thigh." With regard to the forehead I must beg leave to differ from him: for it is a purely theatrical trick even to clap the hands or beat the breast. It is only on rare occasions, too, 124 that it is becoming to touch the breast with the finger-tips of the hollowed hand, when, for example, we address ourselves or speak words of exhortation, reproach or commiseration. But if ever we do employ this gesture, it will not be unbecoming to pull back the toga at the same time. As regards the feet, we need to be careful about our gait and the attitudes

BOOK XI. III. 124-128

in which we stand. To stand with the right foot advanced or to thrust forward the same foot and hand are alike unsightly. At times we may rest our weight on the right foot, but without any corresponding inclination of the chest, while, in any case, the gesture is better suited to the comic actor than to the orator. It is also a mistake, when resting on the left foot, to lift the right or poise it on tiptoe. To straddle the feet is ugly if we are standing still, and almost indecent if we are actually moving. To start forward may be effective, provided that we move but a short distance and do so but rarely and without violence. It will also at times be found convenient to walk to and fro, owing to the extravagant pauses imposed by the plaudits of the audience; Cicero,¹ however, says that this should be done only on rare occasions, and that we should take not more than a few steps. On the other hand, to run up and down, which, in the case of Manlius Sura,² Domitius Afer called overdoing it, is sheer folly, and there was no little wit in the question put by Verginius Flavus to a rival professor, when he asked how many miles he had declaimed. I know, too, that some authorities warn us not to walk with our backs turned to the judges, but to move diagonally and keep our eyes fixed on the panel. This cannot be done in private trials, but in such cases the space available is small and the time during which our backs are turned is of the briefest.³ On the other hand, we are permitted at times to walk backwards gradually. Some even jump backwards, which is merely ludicrous. Stamp- ing the foot is, as Cicero⁴ says, effective when done on suitable occasions, that is to say, at the commencement or close of a lively argument, but if it be

frequently indulged in, it brands the speaker as a fool and ceases to attract the attention of the judge. There is also the unsightly habit of swaying to right and left, and shifting the weight from one foot to the other. Above all, we must avoid effeminate movements, such as Cicero¹ ascribes to Titius, a circumstance which led to a certain kind of dance being nicknamed Titius. Another reprehensible practice¹²⁹ is that of nodding frequently and rapidly to either side, a mannerism for which the elder Curio² was derided by Julius, who asked who it was who was speaking in a boat, while on another occasion, when Curio had been tossing himself about in his usual manner, while Octavius, his colleague, was sitting beside him bandaged and reeking with medicaments on account of ill-health, Sicinius remarked, "Octavius, you can never be sufficiently grateful to your colleague: for if he wasn't there, the flies would have devoured you this very day where you sit." The shoulders also¹³⁰ are apt to be jerked to and fro, a fault of which Demosthenes is said to have cured himself by speaking on a narrow platform with a spear hanging immediately above his shoulder, in order that, if in the heat of his eloquence he failed to avoid this fault, he might have his attention called to the fact by a prick from the spear. The only condition that justifies our walking about while speaking is if we are pleading in a public trial before a large number of judges and desire specially to impress our arguments upon them individually. The practice¹³¹ adopted by some of throwing the toga back over the shoulder, while they draw up the fold to their waist with the right hand, and use the left for gesticulation as they walk up and down and discourse, is not to

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be tolerated ; for even to draw back the left hand while extending the right is an objectionable habit. This reminds me of an extremely foolish trick, which I think I ought to mention, that some speakers have of employing the intervals when the audience are applauding by whispering in someone's ear or jesting with their friends or looking back at their clerks, as if telling them to make a note of some gratuity to be dispensed to their supporters. On the other 132 hand, when we are making some explanation to the judge, more especially if the point be somewhat obscure, a slight inclination in his direction will be not unbecoming. But to lean forward towards the advocate seated on the benches of our opponent is offensive, while, unless we are genuinely fatigued, it is a piece of affectation to lean back among our own friends and to be supported in their arms ; the same remark also applies to the practice of being prompted aloud or reading from manuscript as though uncertain of our memory. For all these manner- 133 isms impair the force of our speaking, chill the effect of emotional appeals and make the judge think that he is not being treated with sufficient respect. To cross over to the seats of our opponents borders on impudence, and Cassius Severus showed a neat turn of wit when he demanded that a barrier might be erected between himself and an opponent who behaved in this fashion. Moreover, though to advance towards our opponent may at times produce an impression of passionate energy, the return to our former position will always prove correspondingly tame. Many of the rules which I have given will 134 require modification by those who have to plead before judges seated on a dais.¹ For in such

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cases the face must be raised somewhat higher, so that the speaker's eyes may be fixed on the president of the court: for the same reason his gestures must also be carried a little higher, while there are other details which will readily occur to my reader without any mention from me. Similar modifications will be likewise necessary for those who plead sitting.¹ For this is done, as a rule, only in cases of minor importance, where delivery will necessarily be more restrained, and certain defects are inevitable. For 135 example, when the speaker sits on the left side of the judge, he will have to advance his right foot, while if he be seated on the right, many of his gestures must be made from right to left, in order that they may be addressed to the judge. Personally, I note that many speakers start up at the conclusion of individual periods, while some proceed to walk to and fro for a little: it is for them to decide whether this is becoming or not: I will merely remark that, when they do this, they are not pleading seated. It was a common custom, which has not entirely 136 disappeared, to drink or even to eat while pleading; but I shall not permit my ideal orator to do anything of the kind. For if a man cannot endure the burdens imposed by oratory without having recourse to such remedies, he should not find it a serious hardship to give up pleading altogether, a course which is far preferable to acknowledging his contempt both for his profession and his audience.

With regard to dress, there is no special garb 137 peculiar to the orator, but his dress comes more under the public eye than that of other men. It should, therefore, be distinguished and manly, as, indeed, it ought to be with all men of position. For

excessive care with regard to the cut of the toga,¹ the style of the shoes, or the arrangement of the hair, is just as reprehensible as excessive carelessness. There are also details of dress which are altered to some extent by successive changes in fashion. The ancients, for example, wore no folds, and their successors wore them very short. Consequently it follows that in view of the fact that their arms were, like those of the Greeks, covered by the garment, they must have employed a different form of gesture in the exordium from that which is now in use. However, I am speaking of our own day. The speaker who has not the right to wear the broad stripe,² will wear his girdle in such a way that the front edges of the tunic fall a little below his knees, while the edges in rear reach to the middle of his hams. For only women draw them lower and only centurions higher. If we wear the purple stripe, it requires but little care to see that it falls becomingly; negligence in this respect sometimes excites criticism. Among those who wear the broad stripe, it is the fashion to let it hang somewhat lower than in garments that are retained by the girdle. The toga itself should, in my opinion, be round, and cut to fit, otherwise there are a number of ways in which it may be unshapely. Its front edge should by preference reach to the middle of the shin, while the back should be higher in proportion as the girdle is higher

it in place and prevent it from slipping back into its original position. The toga was very nearly semicircular in shape, which explains Quintilian's statement that it should be round. For further details see *Companion to Latin Studies*, Camb. Univ. Press, p. 191.

² Worn by senators.

behind than in front. The fold is most becoming, 140
 if it fall to a point a little above the lower edge of
 the tunic, and should certainly never fall below it.
 The other fold which passes obliquely like a belt
 under the right shoulder and over the left, should
 neither be too tight nor too loose. The portion of
 the toga which is last to be arranged should fall
 rather low, since it will sit better thus and be
 kept in its place. A portion of the tunic also should
 be drawn back in order that it may not fall over the
 arm when we are pleading, and the fold should be
 thrown over the shoulder, while it will not be
 unbecoming if the edge be turned back. On the 141
 other hand, we should not cover the shoulder and
 the whole of the throat, otherwise our dress will be
 unduly narrowed and will lose the impressive effect
 produced by breadth at the chest. The left arm
 should only be raised so far as to form a right angle
 at the elbow, while the edge of the toga should fall
 in equal lengths on either side. The hand should 142
 not be overloaded with rings, which should under no
 circumstances encroach upon the middle joint of
 the finger. The most becoming attitude for the
 hand is produced by raising the thumb and slightly
 curving the fingers, unless it is occupied with hold-
 ing manuscript. But we should not go out of our
 way to carry the latter, for it suggests an acknow-
 ledgement that we do not trust our memory, and is
 a hindrance to a number of gestures. The ancients 143
 used to let the toga fall to the heels, as the Greeks
 are in the habit of doing with the cloak: Plotius
 and Nigidius¹ both recommend this in the books
 which they wrote about gesture as practised in
 their own day. I am consequently all the more

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surprised at the view expressed by so learned a man as Plinius Secundus, especially since it occurs in a book which carries minute research almost to excess:¹ for he asserts that Cicero was in the habit of wearing his toga in such a fashion to conceal his varicose veins, despite the fact that this fashion is to be seen in the statues of persons who lived after Cicero's day. As regards the short cloak, 144 bandages used to protect the legs, mufflers and coverings for the ears, nothing short of ill-health can excuse their use.

But such attention to our dress is only possible at the beginning of a speech, since, as the pleading develops, in fact, almost from the beginning of the *statement of facts*, the fold will slip down from the shoulder quite naturally and as it were of its own accord, while when we come to arguments and commonplaces, it will be found convenient to throw back the toga from the left shoulder, and even to throw down the fold if it should stick. The left 145 hand may be employed to pluck the toga from the throat and the upper portion of the chest, for by now the whole body will be hot. And just as at this point the voice becomes more vehement and more varied in its utterance, so the clothing begins to assume something of a combative pose. Conse- 146 quently, although to wrap the toga round the left hand or to pull it about us as a girdle would be almost a symptom of madness, while to throw back the fold from its bottom over the right shoulder would be a foppish and effeminate gesture, and there are yet worse effects than these, there is, at any rate, no reason why we should not place the looser portions of the fold under the left arm, since

it gives an air of vigour and freedom not ill-suited to the warmth and energy of our action. When, 147 however, our speech draws near its close, more especially if fortune shows herself kind, practically everything is becoming; we may stream with sweat, show signs of fatigue, and let our dress fall in careless disorder and the toga slip loose from us on every side. This fact makes me all the more surprised 148 that Pliny should think it worth while to enjoin the orator to dry his brow with a handkerchief in such a way as not to disorder the hair, although a little later he most properly, and with a certain gravity and sternness of language, forbids us to rearrange it. For my own part, I feel that dishevelled locks make an additional appeal to the emotions, and that neglect of such precautions creates a pleasing impression. On the other hand, 149 if the toga falls down at the beginning of our speech, or when we have only proceeded but a little way, the failure to replace it is a sign of indifference, or sloth, or sheer ignorance of the way in which clothes should be worn.

The above are the chief adornments and faults of delivery. But there are a number of further considerations which the orator must bear in mind. In the first place there is the question as to the 150 character of speaker, judges and audience. For just as the methods of speaking may justifiably be varied to suit the characteristics of different orators and different judges, so it is with delivery. The same characteristics of voice, gesture and gait are not equally becoming in the presence of the emperor, the senate, the people, and magistrates, or in private and public trials, or in making a

request to the praetor for the appointment of a judge to hear our case, and in actual pleading. Anyone who will reflect upon the matter will realise the nature of the differences involved, as he will also be able to realise the nature of the subject on which he is speaking and the effect which he desires to produce. The considerations with regard to the subject are four in number, of which the first has reference to the case as a whole. For the case may be of a gloomy or a cheerful nature, an anxious business, or one that calls for no alarm, and may involve issues of great or trivial importance. We ought, therefore, never to be so preoccupied over particular portions of a case as to forget to consider the case as a whole. The second point is concerned with the different aspects of the various portions of the speech, that is, the *exordium*, *statement of facts*, *arguments* and *peroration*. The third concerns the thoughts, which will vary according to the subject matter and the emotions which we require to awaken. The fourth has reference to the words, which must be given appropriate expression, unless their force is to be entirely wasted, although it is an error to attempt to make our delivery reproduce the sense of every single word. Consequently, in panegyric, funeral orations excepted, in returning thanks, exhortations and the like, the delivery must be luxuriant, magnificent, and grand. On the other hand, in funeral or consolatory speeches, together with most of those in defence of accused persons, the delivery will be melancholy and subdued. When we speak in the senate, it will be authoritative, when we address the people, dignified, and when we are pleading in private cases, restrained.

As regards the respective portions of speeches, thoughts and words, I must speak at somewhat greater length, as the problems involved are manifold.

There are three qualities which delivery should possess. It should be conciliatory, persuasive and moving, and the possession of these three qualities involves charm as a further requisite. A conciliatory effect may be secured either by charm of style or by producing an impression of excellence of character, which is in some mysterious way clearly revealed both by voice and gesture. A persuasive effect, on the other hand, is produced by the power of assertion, which is sometimes more convincing even than actual proof. "Would those statements," says Cicero¹ to Calidius, "have been delivered by you in such a manner if they had been true?" And again, "You were far from kindling our emotions. Indeed, at that point of your speech we could scarcely keep ourselves awake." We must therefore reveal both confidence and firmness, above all, if we have the requisite authority to back them. The method of arousing the emotions depends on our power to represent or imitate the passions. Therefore when the judge in private, or the usher in public cases, calls upon us to speak, we must rise with deliberation. We shall then, to make our garb the more becoming, and to secure a moment for reflexion, devote a brief space to the arrangement of our toga or even, if necessary, to throwing it on afresh; but it must be borne in mind that this injunction applies only to cases in the courts; for we must not do this if we are speaking before the emperor or a magistrate, or in cases where the judge sits in a position of superior authority. Even when we turn to the judge,

and have requested and received the praetor's permission to address the court, we must not break forth at once into speech, but should allow ourselves a few moments for reflexion. For the display of such care on the part of one who is about to speak attracts the audience and gives the judge time to settle down. Homer¹ inculcates this practice by placing before us the example of Ulysses, whom he describes as having stood for a while with eyes fixed on the ground and staff held motionless, before he poured forth his whirlwind of eloquence. In this preliminary delay there are certain pauses, as the actors call them, which are not unbecoming. We may stroke our head, look at our hand, wring the fingers, pretend to summon all our energies for the effort, confess to nervousness by a deep sigh, or may adopt any other method suited to our individual character, while these proceedings may be extended over some time, if we find that the judge is not yet giving us his attention. Our attitude should be upright, our feet level and a slight distance apart, or the left may be very slightly advanced. The knees should be upright, but not stiff, the shoulders relaxed, the face stern, but not sad, expressionless or languid: the arms should be held slightly away from the side, the left hand being in the position described above,² while the right, at the moment when our speech begins, should be slightly extended beyond the fold of the toga with the most modest of gestures, as though waiting for the commencement. For it is a mistake to look at the ceiling, to rub the face and give it a flush of impudence, to crane it boldly forward, to frown in order to secure a fierce expression, or brush back the hair from the forehead against its

natural direction in order to produce a terrifying effect by making it stand on end. Again, there are other unseemly tricks, such as that so dear to the Greeks of twitching our fingers and lips as though studying what to say, clearing the throat with a loud noise, thrusting out one foot to a considerable distance, grasping a portion of the toga in the left hand, standing with feet wide apart, holding ourselves stiffly, leaning backwards, stooping, or hunching our shoulders toward the back of the head, as wrestlers do when about to engage.

A gentle delivery is most often best suited to the *exordium*. 161 For there is nothing better calculated than modesty to win the good-will of the judge, although there are exceptions to the rule, since, as I have already pointed out,¹ all *exordia* are not delivered in the same manner. But, generally speaking, a quiet voice, a modest gesture, a toga sitting well upon the shoulder, and a gentle motion of the sides to right and left, accompanied by a corresponding movement of the eyes, will all be found to produce a becoming effect. In the *statement of facts* the hand 162 should on most occasions be further extended, the toga allowed to slip back, the gestures sharply distinguished and the voice colloquial, but slightly more emphatic, while there should also be uniformity of tone. Such, at any rate, should be the delivery of a passage such as the following:² "For Quintus Ligarius, since there was no hint of the likelihood of the war in Africa," or³ "Aulus Cluentius Habitus, this man's father." But different methods may be called for in this same portion of the speech, in passionate utterances such as, "The mother-in-law weds her son-in-law,"⁴ or in pathetic passages such

as, "There in the market-place of Laodicea was displayed a grievous and afflicting spectacle for all the province of Asia to behold."¹ The *proofs*, however, 163
 require the utmost variety of delivery. For to state them and distinguish between their various points, and to examine witnesses, we employ something not far removed from a colloquial tone, as is also the case in anticipating objections, which is really another form of statement. But in all these cases we sometimes deride, and sometimes mimic our opponents. *Argument*, being as a rule of a livelier, more energetic 164
 and aggressive character, demands a type of gesture adapted to its style, that is to say, it should be bold and rapid. There are certain portions of our arguments that require to be pressed home with energy, and in these our style must be compact and concentrated. *Digressions*, as a rule, are characterised by gentleness, calm and placidity, as, for example, in Cicero's description of the Rape of Proserpine,² his picture of Sicily,² or his panegyric of Pompey.³ For naturally passages which deal with subjects lying outside the main question in dispute demand a less combative tone. There are occasions on which we 165
 may adopt a gentle manner in depreciating our opponents by giving a picture of their character, as in the following passage:⁴ "I seemed to see some persons entering the room and others leaving it, while others were staggering to and fro under the influence of wine." Under such circumstances we may even allow the gesture to match the voice, and may employ a gentle movement from side to side: but this motion should be confined to the hands, and there should be no movement of the flanks. There 166
 are a number of gradations of tone which may be

BOOK XI. III. 166-169

employed to kindle the feeling of the judges. The most vehement tones that an orator is ever called upon to use will be employed in passages such as the following:¹ "When the war was begun, Caesar, and was, in fact, well on its way to a conclusion." For he has just said: "I will use my voice to its fullest power, that all the Roman people may hear me." On the other hand, a lower tone, not devoid of a certain charm, should be employed in passages such as:² "What was that sword of yours doing, Tubero, that sword that was drawn on the field of Pharsalus?" But the utterance must be fuller, 167 slower, and consequently sweeter, when the orator says,³ "But in an assembly of the Roman people, and when he was performing his official functions." In this passage every sound should be drawn out, we should dwell upon the vowel-sounds and speak full-throated. Still fuller should be the stream of our voice in the invocation,⁴ "You, hills and groves of Alba"; while a tone not far removed from chanting, and dying away to a cadence, should be employed in delivering the phrase,⁵ "Rocks and solitudes answer to the voice." These are the modulations denounced 168 by Demosthenes⁶ and Aeschines,⁷ but they do not necessarily for that reason merit our disapprobation. For as each of these orators taunts the other with making use of them, it is clear that they were employed by both. We may be sure that Demosthenes did not restrict himself to his ordinary simplicity of tone when he swore by those that fought for their country at Marathon, Plataea and Salamis,⁸ nor did Aeschines employ a colloquial utterance when he lamented for the fate of Thebes.⁹ There is also an entirely different 169 tone, which might be described as lying almost

BOOK XI. III. 169-172

outside the range of the instrument. The Greeks call it bitterness, and it consists in an extravagant acerbity almost beyond the compass of the human voice. It is employed in passages such as,¹ "Why do you not restrain those cries, the proof of your folly and the evidence of your small numbers?" But the extravagance of which I spoke will come in at the opening, where the orator cries, "Why do you not restrain?"

The *peroration*, if it involves a recapitulation, 170 requires an even utterance of short, clear-cut clauses. If, on the other hand, it is designed to stir the emotions of the judges, it will demand some of the qualities already mentioned. If it aims at soothing them, it should flow softly; if it is to rouse them to pity, the voice must be delicately modulated to a melancholy sweetness, which is at once most natural and specially adapted to touch the heart. For it may be noted that even orphans and widows have a certain musical quality in the lamentations which they utter at funerals. A 171 muffled voice, such as Cicero² says was possessed by Antonius, will also be exceedingly effective under such circumstances, since it has just the natural tone which we seek to imitate. Appeals to pity are, however, of two kinds: they may be marked by an admixture of indignation, as in the passage just quoted³ describing the condemnation of Philodamus, or they may be coupled with appeals for mercy, in which case their tone will be more subdued. Therefore although there is a suggestion of 172 the chanting tone in the delivery of such passages as "In an assembly of the Roman people" (for he did not utter these words in a contentious tone), or in

“Ye hills and groves of Alba” (for he did not say this as though he were appealing to them or calling them to witness), the ensuing phrases¹ require infinitely greater modulation and longer-drawn harmonies: “Ah, woe is me, unhappy that I am!” and “What shall I reply to my children?” and “You, Milo, had the power to recall me to my country with the aid of these men, and shall I be powerless by their aid to keep you in that same country, your native land and mine?” or when he offers to sell the property of Gaius Rabirius at one sesterce, “Ah, what a sad and bitter task my voice is called on to perform!”² Again, 173 it is a most effective device to confess in the peroration that the strain of grief and fatigue is overpowering, and that our strength is sinking beneath them, as Cicero does in his defence of Milo:³ “But here I must make an end: I can no longer speak for tears.” And in such passages our delivery must conform to our words. It may be thought that there are other points 174 which should be mentioned in connexion with the duties of the orator in this portion of his speech, such as calling forward the accused, lifting up his children for the court to see, producing his kinsfolk, and rending his garments; but they have been dealt with in their proper place.⁴

Such being the variety entailed by the different portions of our pleading, it is sufficiently clear that our delivery must be adapted to our matter, as I have already shown, and sometimes also, though not always conform to our actual words, as I have just remarked.⁵ For instance, must not the words, 175 “This poor wretched, poverty-stricken man,” be uttered in a low, subdued tone, whereas, “A bold and violent fellow and a robber,” is a phrase

BOOK XI. III. 175-177

requiring a strong and energetic utterance? For such conformity gives a force and appropriateness to our matter, and without it the expression of the voice will be out of harmony with our thought. Again, what of the fact that a change of delivery 176 may make precisely the same words either demonstrate or affirm, express reproach, denial, wonder or indignation, interrogation, mockery or depreciation? For the word "thou" is given a different expression in each of the following passages:

* "Thou this poor kingdom dost on me bestow." ¹

and

"Thou vanquish him in song?" ²

and

"Art thou, then, that Aeneas?" ³

and

"And of fear,
Do thou accuse me, Drances!" ⁴

To cut a long matter short, if my reader will take this or any other word he chooses and run it through the whole gamut of emotional expression, he will realise the truth of what I say.

There is one further remark which I must add, 177 namely, that while what is becoming is the main consideration in delivery, different methods will often suit different speakers. For this is determined by a principle which, though it is obscure and can hardly be expressed in words, none the less exists: and, though it is 'a true saying' ⁵ that "the main secret of artistic success is that whatever we do should become us well," none the less, despite the fact that such success cannot be

attained without art, it is impossible entirely to communicate the secret by the rules of art. There are 178
 some persons in whom positive excellences have no charm, while there are others whose very faults give pleasure. We have seen the greatest of comic actors, Demetrius and Stratocles, win their success by entirely different merits. But that is the less surprising owing to the fact that the one was at his best in the rôles of gods, young men, good fathers and slaves, matrons and respectable old women, while the other excelled in the portrayal of sharp-tempered old men, cunning slaves, parasites, pimps and all the more lively characters of comedy. For their natural gifts differed. For Demetrius' voice, like his other qualities, had greater charm, while that of Stratocles was the more powerful. But 179
 yet more noticeable were the incommunicable peculiarities of their action. Demetrius showed unique gifts in the movements of his hands, in his power to charm his audience by the long-drawn sweetness of his exclamations, the skill with which he would make his dress seem to puff out with wind as he walked, and the expressive movements of the right side which he sometimes introduced with effect, in all of which things he was helped by his stature and personal beauty. On the 180
 other hand, Stratocles' *forte* lay in his nimbleness and rapidity of movement, in his laugh (which, though not always in keeping with the character he represented, he deliberately employed to awaken answering laughter in his audience), and finally, even in the way in which he sank his neck into his shoulders. If either of these actors had attempted any of his rival's tricks, he would have produced a

most unbecoming effect. Consequently, every man must get to know his own peculiarities and must consult not merely the general rules of technique, but his own nature as well with a view to forming his delivery. But there is no law of heaven which prohibits the possession of all or at any rate the majority of styles by one and the same person. I must conclude this topic with a remark which applies to all my other topics as well, that the prime essential is a sense of proportion. For I am not trying to form a comic actor, but an orator. Consequently, we need not study all the details of gesture nor, as regards our speaking, be pedantic in the use we make of the rules governing punctuation, rhythm and appeals to the emotions. For example, if an actor has to speak the following lines on the stage :¹

“ What shall I do then? Not go, even now,
Now when she calls me? Or shall I steel my soul
No longer to endure a harlot's insults? ”

he will hesitate as in doubt, will vary the modulations of his voice, together with the movements of hand and head. But oratory has a different flavour and objects to elaborate condiments, since it consists in serious pleading, not in mimicry. There is, therefore, good reason for the condemnation passed on a delivery which entails the continual alteration of facial expression, annoying restlessness of gesture and gusty changes of tone. And it was a wise saying that the ancient orators borrowed from the Greeks, as is recorded by Popilius Laenas, to the effect that there is too much “ business ” in such delivery. The instructions given by Cicero on this subject, as on all others, are quite admirable ; I allude to the passages

BOOK XI. III. 184

which I have already quoted from his *Orator*,¹ while there are similar observations in the *Brutus*² with reference to Marcus Antonius. But to-day a rather more violent form of delivery has come into fashion and is demanded of our orators : it is well adapted to certain portions of a speech, but requires to be kept under control. Otherwise, in our attempt to ape the elegances of the stage, we shall lose the authority which should characterise the man of dignity and virtue.

¹ § 122.

² *Brut.* xxxviii. 141.

BOOK XII

BOOK XII

INTRODUCTION

I NOW come to what is by far the most arduous portion of the task which I have set myself to perform. Indeed had I fully realised the difficulties when I first designed this work, I should have considered betimes whether my strength was sufficient to support the load that now weighs upon me so heavily. But to begin with, I felt how shameful it would be to fail to perform what I had promised, and later, despite the fact that my labour became more and more arduous at almost every stage, the fear of stultifying what I had already written sustained my courage through every difficulty. Consequently² even now, though the burden that oppresses me is greater than ever, the end is in sight and I am resolved to faint by the wayside rather than despair. But the fact that I began with comparatively trivial details deceived me. Subsequently I was lured still further on my voyage by the temptations of the favouring breeze that filled my sails; but the rules which I was then concerned to give were still of a familiar kind and had been already treated by most writers of rhetorical textbooks: thus far I seemed to myself to be still in sight of shore and I had the company of many who had ventured to entrust themselves to the self-same winds. But presently when³ I entered on the task of setting forth a theory of

eloquence which had been but newly discovered and rarely essayed, I found but few that had ventured so far from harbour. And finally now that the ideal orator, whom it was my design to mould, has been dismissed by his masters and is either proceeding on his way borne onward by his own impetus, or seeking still mightier assistance from the innermost shrine of wisdom, I begin to feel how far I have been swept into the great deep. Now there is 4

“Nothing before and nothing behind but the sky and the Ocean.”¹

One only can I discern in all the boundless waste or waters, Marcus Tullius Cicero, and even he, though the ship in which he entered these seas is of such size and so well found, begins to lessen sail and to row a slower stroke, and is content to speak merely of the kind of speech to be employed by the perfect orator. But my temerity is such that I shall essay to form my orator's character and to teach him his duties. Thus I have no predecessor to guide my steps and must press far, far on, as my theme may demand. Still an honourable ambition is always deserving of approval, and it is all the less hazardous to dare greatly, when forgiveness is assured us if we fail. ‡

I. The orator then, whom I am concerned to form, shall be the orator as defined by Marcus Cato, “a good man, skilled in speaking.”² But above all he must possess the quality which Cato places first and which is in the very nature of things the greatest and most important, that is, he must be a good man. This is essential not merely on account of the fact that, if the powers of eloquence serve only to lend arms to crime, there can be nothing more pernicious than

BOOK XII. 1. 1-4

eloquence to public and private welfare alike, while I myself, who have laboured to the best of my ability to contribute something of value to oratory, shall have rendered the worst of services to mankind, if I forge these weapons not for a soldier, but for a robber. But why speak of myself? Nature herself will have proved not a mother, but a stepmother with regard to what we deem her greatest gift to man, the gift that distinguishes us from other living things, if she devised the power of speech to be the accomplice of crime, the foe to innocency and the enemy of truth. For it had been better for men to be born dumb and devoid of reason than to turn the gifts of providence to their mutual destruction. But this conviction of mine goes further. For I do not merely assert that the ideal orator should be a good man, but I affirm that no man can be an orator unless he is a good man. For it is impossible to regard those men as gifted with intelligence who on being offered the choice between the two paths of virtue and of vice choose the latter, nor can we allow them prudence, when by the unforeseen issue of their own actions they render themselves liable not merely to the heaviest penalties of the laws, but to the inevitable torment of an evil conscience. But if the view that a bad man is necessarily a fool is not merely held by philosophers, but is the universal belief of ordinary men, the fool will most assuredly never become an orator. To this must be added the fact that the mind will not find leisure even for the study of the noblest of tasks, unless it first be free from vice. The reasons for this are, first, that vileness and virtue cannot jointly inhabit in the selfsame heart and that it is as impossible for one and the same mind to harbour good

BOOK XII. 1. 4-8

and evil thoughts as it is for one man to be at once both good and evil : and secondly, that if the intelligence is to be concentrated on such a vast subject as eloquence it must be free from all other distractions, among which must be included even those preoccupations which are free from blame. For it is only when it is free and self-possessed, with nothing to divert it or lure it elsewhere, that it will fix its attention solely on that goal, the attainment of which is the object of its preparations. If on the other hand inordinate care for the development of our estates, excess of anxiety over household affairs, passionate devotion to hunting or the sacrifice of whole days to the shows of the theatre, rob our studies of much of the time that is their due (for every moment that is given to other things involves a loss of time for study), what, think you, will be the results of desire, avarice, and envy, which waken such violent thoughts within our souls that they disturb our very slumbers and our dreams? There is nothing so preoccupied, so distracted, so rent and torn by so many and such varied passions as an evil mind. For when it cherishes some dark design, it is tormented with hope, care and anguish of spirit, and even when it has accomplished its criminal purpose, it is racked by anxiety, remorse and the fear of all manner of punishments. Amid such passions as these what room is there for literature or any virtuous pursuit? You might as well look for fruit in land that is choked with thorns and brambles. Well then, I ask you, is not simplicity of life essential if we are to be able to endure the toil entailed by study? What can we hope to get from lust or luxury? Is not the desire to win praise one of the strongest stimulants to a

BOOK XII. 1. 8-12

passion for literature? But does that mean that we are to suppose that praise is an object of concern to bad men? Surely every one of my readers must by now have realised that oratory is in the main concerned with the treatment of what is just and honourable? Can a bad and unjust man speak on such themes as the dignity of the subject demands? Nay, even if we exclude the most important aspects of the question now before us, and make the impossible concession that the best and worst of men may have the same talent, industry and learning, we are still confronted by the question as to which of the two is entitled to be called the better orator. The answer is surely clear enough: it will be he who is the better man. Consequently, the bad man and the perfect orator can never be identical. For nothing is perfect, if there exists something else that is better. However, as I do not wish to appear to adopt the practice dear to the Socratics of framing answers to my own questions, let me assume the existence of a man so obstinately blind to the truth as to venture to maintain that a bad man equipped with the same talents, industry and learning will be not a whit inferior to the good man as an orator; and let me show that he too is mad. There is one point at any rate which no one will question, namely, that the aim of every speech is to convince the judge that the case which it puts forward is true and honourable. Well then, which will do this best, the good man or the bad? The good man will without doubt more often say what is true and honourable. But even supposing that his duty should, as I shall show may sometimes happen, lead him to make statements which are false, his words

BOOK XII. 1. 12-16

are still certain to carry greater weight with his audience. On the other hand bad men, in their contempt for public opinion and their ignorance of what is right, sometimes drop their mask unawares, and are impudent in the statement of their case and shameless in their assertions. Further, in their attempt to achieve the impossible they display an unseemly persistency and unavailing energy. For in lawsuits no less than in the ordinary paths of life, they cherish depraved expectations. But it often happens that even when they tell the truth they fail to win belief, and the mere fact that such a man is its advocate is regarded as an indication of the badness of the case. 13

I must now proceed to deal with the objections which common opinion is practically unanimous in bringing against this view. Was not Demosthenes an orator? And yet we are told that he was a bad man. Was not Cicero an orator? And yet there are many who have found fault with his character as well. What am I to answer? My reply will be highly unpopular and I must first attempt to conciliate my audience. I do not consider that Demosthenes deserves the serious reflexions that have been made upon his character to such an extent that I am bound to believe all the charges amassed against him by his enemies; for my reading tells me that his public policy was of the noblest and his end most glorious. Again, I cannot see that the aims of Cicero were in any portion of his career other than such as may become an excellent citizen. As evidence I would cite the fact that his behaviour as consul was magnificent and his administration of his province a model of integrity, while he refused to 15 16

become one of the twenty commissioners,¹ and in the grievous civil wars which afflicted his generation beyond all others, neither hope nor fear ever deterred him from giving his support to the better party, that is to say, to the interests of the common weal. Some, it is true, regard him as lacking in courage. 17 The best answer to these critics is to be found in his own words, to the effect that he was timid not in confronting peril, but in anticipating it. And this he proved also by the manner of his death, in meeting which he displayed a singular fortitude. But even 18 *et p. u.* if these two men lacked the perfection of virtue, I will reply to those who ask if they were orators, in the manner in which the Stoics would reply, if asked whether Zeno, Cleanthes or Chrysippus himself were wise men. I shall say that they were great men deserving our veneration, but that they did not attain to that which is the highest perfection of man's nature. For did not Pythagoras desire 19 that he should not be called a wise man, like the sages who preceded him, but rather a student of wisdom? ² But for my own part, conforming to the language of every day, I have said time and again, and shall continue to say, that Cicero was a perfect orator, just as in ordinary speech we call our friends good and sensible men, although neither of these titles can really be given to any save to him that has attained to perfect wisdom. But if I am called upon to speak strictly and in accordance with the most rigid laws of truth, I shall proclaim that I seek to find that same perfect orator whom Cicero also sought to discover. For while I admit that he stood 20 on the loftiest pinnacle of eloquence, and can discover scarcely a single deficiency in him, although I

might perhaps discover certain superfluities which I think he would have pruned away (for the general view of the learned is that he possessed many virtues and a few faults, and he himself¹ states that he has succeeded in suppressing much of his youthful exuberance), none the less, in view of the fact that, although he had by no means a low opinion of himself, he never claimed to be the perfect sage, and, had he been granted longer life and less troubled conditions for the composition of his works, would doubtless have spoken better still, I shall not lay myself open to the charge of ungenerous criticism, if I say that I believe that he failed actually to achieve that perfection to the attainment of which none have approached more nearly, and indeed had I felt otherwise in this connexion, I might have defended my point with greater boldness and freedom.² Marcus Antonius declared that he had seen no man who was genuinely eloquent (and to be eloquent is a far less achievement than to be an orator), while Cicero himself has failed to find his orator in actual life and merely imagines and strives to depict the ideal. Shall I then be afraid to say that in the eternity of time that is yet to be, something more perfect may be found than has yet existed? I say nothing of those critics²² who will not allow sufficient credit even for eloquence to Cicero and Demosthenes, although Cicero himself does not regard Demosthenes as flawless, but asserts that he sometimes nods,³ while even Cicero fails to satisfy Brutus and Calvus (at any rate they criticised his style to his face), or to win the complete approval of either of the Asinii, who in various passages attack the faults of his oratory in language which is positively hostile.

BOOK XII. I. 23-26

However, let us fly in the face of nature and 23
 assume that a bad man has been discovered who is
 endowed with the highest eloquence. I shall none
 the less deny that he is an orator. For I should not
 allow that every man who has shown himself ready
 with his hands was necessarily a brave man, because
 true courage cannot be conceived of without the
 accompaniment of virtue. Surely the advocate who 24
 is called to defend the accused requires to be a man
 of honour, honour which greed cannot corrupt, in-
 fluence seduce, or fear dismay. Shall we then dig-
 nify the traitor, the deserter, the turncoat with the
 sacred name of orator? But if the quality which is
 usually termed goodness is to be found even in quite
 ordinary advocates, why should not the orator, who
 has not yet existed, but may still be born, be no less
 perfect in character than in excellence of speech?
 It is no hack-advocate, no hireling pleader, nor yet, 25
 to use no harsher term, a serviceable attorney of the
 class generally known as *causidici*, that I am seeking to
 form, but rather a man who to extraordinary natural
 gifts has added a thorough mastery of all the fairest
 branches of knowledge, a man sent by heaven to be
 the blessing of mankind, one to whom all history
 can find no parallel, uniquely perfect in every detail
 and utterly noble alike in thought and speech. How 26
 small a portion of all these abilities will be required
 for the defence of the innocent, the repression of
 crime or the support of truth against falsehood in
 suits involving questions of money? It is true that
 our supreme orator will bear his part in such tasks,
 but his powers will be displayed with brighter splen-
 dour in greater matters than these, when he is
 called upon to direct the counsels of the senate and

BOOK XII. 1. 26-30

guide the people from the paths of error to better things. Was not this the man conceived by Virgil 27 and described as quelling a riot when torches and stones have begun to fly :¹

“Then, if before their eyes some statesman grave
Stand forth, with virtue and high service crowned,
Straight are they dumb and stand intent to hear.”

Here then we have one who is before all else a good man, and it is only after this that the poet adds that he is skilled in speaking :

“His words their minds control, their passions soothe.”

Again, will not this same man, whom we are striving 28 to form, if in time of war he be called upon to inspire his soldiers with courage for the fray, draw for his eloquence on the innermost precepts of philosophy? For how can men who stand upon the verge of battle banish all the crowding fears of hardship, pain and death from their minds, unless those fears be replaced by the sense of the duty that they owe their country, by courage and the lively image of a soldier's honour? And assuredly the man who ~~will~~ 29 best inspire such feelings in others is he who has first inspired them in himself. For however we strive to conceal it, insincerity will always betray itself, and there was never in any man so great eloquence as would not begin to stumble and hesitate so soon as his words ran counter to his inmost thoughts. Now 30 a bad man cannot help speaking things other than he feels. On the other hand, the good will never be at a loss for honourable words or fail to find matter full of virtue for utterance, since among his virtues practical wisdom will be one. And even though his

BOOK XII. 1. 30-34

imagination lacks artifice to lend it charm, its own nature will be ornament enough, for if honour dictate the words, we shall find eloquence there as well. Therefore, let those that are young, or rather let all 31 of us, whatever our age, since it is never too late to resolve to follow what is right, strive with all our hearts and devote all our efforts to the pursuit of virtue and eloquence; and perchance it may be granted to us to attain to the perfection that we seek. For since nature does not forbid the attainment of either, why should not someone succeed in attaining both together? And why should not each of us hope to be that happy man? But if our powers are inadequate 32 to such achievement, we shall still be the better for the double effort in proportion to the distance which we have advanced toward either goal. At any rate let us banish from our hearts the delusion that eloquence, the fairest of all things, can be combined with vice. The power of speaking is even to be accounted an evil when it is found in evil men; for it makes its possessors yet worse than they were before.

I think I hear certain persons (for there will 33 always be some who had rather be eloquent than good) asking, "Why then is there so much art in connexion with eloquence? Why have you talked so much of 'glosses,'¹ the methods of defence to be employed in difficult cases, and sometimes even of actual confession of guilt, unless it is the case that the power and force of speech at times triumphs over truth itself? For a good man will only plead good cases, and those might safely be left to truth to support without the aid of learning." Now, though 34 my reply to these critics will in the first place be a defence of my own work, it will also explain what

I consider to be the duty of a good man on occasions when circumstances have caused him to undertake the defence of the guilty. For it is by no means useless to consider how at times we should speak in defence of falsehood or even of injustice, if only for this reason, that such an investigation will enable us to detect and defeat them with the greater ease, just as the physician who has a thorough knowledge of all that can injure the health will be all the more skilful in the prescription of remedies. For the Academicians, although they will argue on 35 either side of a question, do not thereby commit themselves to taking one of these two views as their guide in life to the exclusion of the other, while the famous Carneades, who is said to have spoken at Rome in the presence of Cato the Censor, and to have argued against justice with no less vigour than he had argued for justice on the preceding day, was not himself an unjust man. But the nature of virtue is revealed by vice, its opposite, justice becomes yet more manifest from the contemplation of injustice, and there are many other things that are proved by their contraries. Consequently the schemes of his adversaries should be no less well known to the orator than those of the enemy to a commander in the field. But it is even true, although at first sight 36 it seems hard to believe, that there may be sound reason why at times a good man who is appearing for the defence should attempt to conceal the truth from the judge. If any of my readers is surprised at my making such a statement (although this opinion is not of my own invention, but is derived from those whom antiquity regarded as the greatest teachers of wisdom), I would have him reflect that

BOOK XII. 1. 36-40

there are many things which are made honourable or the reverse not by the nature of the facts, but by the causes from which they spring. For if to slay 37 a man is often a virtue and to put one's own children to death is at times the noblest of deeds, and if it is permissible in the public interest to do deeds yet more horrible to relate than these, we should assuredly take into consideration not solely and simply what is the nature of the case which the good man undertakes to defend, but what is his reason and what his purpose in so doing. And first 38 of all everyone must allow, what even the sternest of the Stoics admit, that the good man will sometimes tell a lie, and further that he will sometimes do so for comparatively trivial reasons; for example we tell countless lies to sick children for their good and make many promises to them which we do not intend to perform. And there is clearly far more justification for lying when it is a question of diverting 39 an assassin from his victim or deceiving an enemy to save our country. Consequently a practice which is at times reprehensible even in slaves, may on other occasions be praiseworthy even in a wise man. If this be granted, I can see that there will be many possible emergencies such as to justify an orator in undertaking cases of a kind which, in the absence of any honourable reason, he would have refused to touch. In saying this I do not mean that we should 40 be ready under any circumstances to defend our father, brother or friend when in peril (since I hold that we should be guided by stricter rules in such matters), although such contingencies may well cause us no little perplexity, when we have to decide between the rival claims of justice and natural

affection. But let us put the problem beyond all question of doubt. * Suppose a man to have plotted against a tyrant and to be accused of having done so. Which of the two will the orator, as defined by us, desire to save? And if he undertakes the defence of the accused, will he not employ falsehood with no less readiness than the advocate who is defending a bad case before a jury? Again, suppose that the 41 judge is likely to condemn acts which were rightly done, unless we can convince him that they were never done. Is not this another case where the orator will not shrink even from lies, if so he may save one who is not merely innocent, but a praiseworthy citizen? Again, suppose that we realise that certain acts are just in themselves, though prejudicial to the state under existing circumstances. Shall we not then employ methods of speaking which, despite the excellence of their intention, bear a close resemblance to fraud. Further, no one will hesitate 42 for a moment to hold the view that it is in the interests of the commonwealth that guilty persons should be acquitted rather than punished, if it be possible thereby to convert them to a better state of mind, a possibility which is generally conceded. If then it is clear to an orator that a man who is guilty of the offences laid to his charge will become a good man, will he not strive to secure his acquittal? Imagine for example that a skilful commander, with- 43 out whose aid the state cannot hope to crush its enemies, is labouring under a charge which is obviously true: will not the common interest irresistibly summon our orator to defend him? We know at any rate that Fabricius publicly voted for and secured the election to the consulate of Cornelius Rufinus,

despite the fact that he was a bad citizen and his personal enemy, merely because he knew that he was a capable general and the state was threatened with war.¹ And when certain persons expressed their surprise at his conduct, he replied that he had rather be robbed by a fellow-citizen than be sold as a slave by the enemy. Well then, had Fabricius been an orator, would he not have defended Rufinus against a charge of peculation, even though his guilt were as clear as day? ♣ I might produce many 44 other similar examples, but one of them taken at random is enough. For my purpose is not to assert that such tasks will often be incumbent on the orator whom I desire to form, but merely to show that, in the event of his being compelled to take such action, it will not invalidate our definition of an orator as a "good man, skilled in speaking." And it is necessary also both to teach and learn how 45 to establish difficult cases by proof. For often even the best cases have a resemblance to bad and, the charges which tell heavily against an innocent person frequently have a strong resemblance to the truth. Consequently, the same methods of defence have to be employed that would be used if he were guilty. Further, there are countless elements which are common to both good cases and bad, such as oral and documentary evidence, suspicions and opinions, all of which have to be established or disposed of in the same way, whether they be true or merely resemble the truth. Therefore, while maintaining his integrity of purpose, the orator will modify his pleading to suit the circumstances.

II. Since then the orator is a good man, and such goodness cannot be conceived as existing apart from

BOOK XII. II. 1-5

virtue, virtue, despite the fact that it is in part
 derived from certain natural impulses, will require to
 be perfected by instruction. The orator must above
 all things devote his attention to the formation of
 moral character and must acquire a complete know-
 ledge of all that is just and honourable. For without
 this knowledge no one can be either a good man or
 skilled in speaking, unless indeed we agree with 2
 those who regard morality as intuitive and as owing
 nothing to instruction: indeed they go so far as to
 acknowledge that handicrafts, not excluding even
 those which are most despised among them, can
 only be acquired by the result of teaching, whereas
 virtue, which of all gifts to man is that which makes
 him most near akin to the immortal gods, comes to
 him without search or effort, as a natural concomitant
 of birth. But can the man who does not know what
 abstinence is, claim to be truly abstinent? or brave, if 3
 he has never purged his soul of the fears of pain, death
 and superstition? or just, if he has never, in language
 approaching that of philosophy, discussed the nature
 of virtue and justice, or of the laws that have been
 given to mankind by nature or established among
 individual peoples and nations? What a contempt
 it argues for such themes to regard them as being
 so easy of comprehension! However, I pass this by; 4
 for I am sure that no one with the least smattering
 of literary culture will have the slightest hesitation
 in agreeing with me. I will proceed to my next
 point, that no one will achieve sufficient skill even in
 speaking, unless he makes a thorough study of all
 the workings of nature and forms his character on
 the precepts of philosophy and the dictates of reason.
 For it is with good cause that Lucius Crassus, in the 5

BOOK XII. II. 5-8

third book of the *de Oratore*,¹ affirms that all that is said concerning equity, justice, truth and the good, and their opposites, forms part of the studies of an orator, and that the philosophers, when they exert their powers of speaking to defend these virtues, are using the weapons of rhetoric, not their own. But he also confesses that the knowledge of these subjects must be sought from the philosophers for the reason that, in his opinion, philosophy has more effective possession of them. And it is for the same 6 reason that Cicero in several of his books and letters proclaims that eloquence has its fountain-head in the most secret springs of wisdom, and that consequently for a considerable time the instructors of morals and of eloquence were identical. Accordingly this exhortation of mine must not be taken to mean that I wish the orator to be a philosopher, since there is no other way of life that is further removed from the duties of a statesman and the tasks of an orator. For what philosopher has ever been a frequent 7 speaker in the courts or won renown in public assemblies? Nay, what philosopher has ever taken a prominent part in the government of the state, which forms the most frequent theme of their instructions? None the less I desire that he, whose character I am seeking to mould, should be a "wise man" in the Roman sense, that is, one who reveals himself as a true statesman, not in the discussions of the study, but in the actual practice and experience of life. But 8 inasmuch as the study of philosophy has been deserted by those who have turned to the pursuit of eloquence, and since philosophy no longer moves in its true sphere of action and in the broad daylight of the forum, but has retired first to porches and gym-

nasia and finally to the gatherings of the schools, all that is essential for an orator, and yet is not taught by the professors of eloquence, must undoubtedly be sought from those persons in whose possession it has remained. The authors who have discoursed on the nature of virtue must be read through and through, that the life of the orator may be wedded to the knowledge of things human and divine. But 9
 how much greater and fairer would such subjects appear if those who taught them were also those who could give them most eloquent expression! O that the day may dawn when the perfect orator of our heart's desire shall claim for his own possession that science that has lost the affection of mankind through the arrogance of its claims and the vices of some that have brought disgrace upon its virtues, and shall restore it to its place in the domain of eloquence, as though he had been victorious in a trial for the restoration of stolen goods! And since 10
 philosophy falls into three divisions, physics, ethics and dialectic, which, I ask you, of these departments is not closely connected with the task of the orator?

Let us reverse the order just given and deal first with the third department which is entirely concerned with words. If it be true that to know the properties of each word, to clear away ambiguities, to unravel perplexities, to distinguish between truth and falsehood, to prove or to refute as may be desired, all form part of the functions of an orator, who is there that can doubt the truth of my contention? I grant that we shall not have to employ 11
 dialectic with such minute attention to detail when we are pleading in the courts as when we are

BOOK XII. II. 11-15

engaged in philosophical debate, since the orator's duty is not merely to instruct, but also to move and delight his audience; and to succeed in doing this he needs a strength, impetuosity and grace as well. For oratory is like a river: the current is stronger when it flows within deep banks and with a mighty flood, than when the waters are shallow and broken by the pebbles that bar their way. And just as 12 the trainers of the wrestling school do not impart the various *throws* to their pupils that those who have learnt them may make use of all of them in actual wrestling matches (for weight and strength and wind count for more than these), but that they may have a store from which to draw one or two of such tricks, as occasion may offer; even so the 13 science of dialectic, or if you prefer it of disputation, while it is often useful in definition, inference, differentiation, resolution of ambiguity, distinction and classification, as also in luring on or entangling our opponents, yet if it claim to assume the entire direction of the struggles of the forum, will merely stand in the way of arts superior to itself and by its very subtlety will exhaust the strength that has been pared down to suit its limitations. As a 14 result you will find that certain persons who show astonishing skill in philosophical debate, as soon as they quit the sphere of their quibbles, are as helpless in any case that demands more serious pleading as those small animals which, though nimble enough in a confined space, are easily captured in an open field.

Proceeding to moral philosophy or ethics, we may 15 note that it at any rate is entirely suited to the orator. For vast as is the variety of cases (since in

BOOK XII. II. 15-19

them, as I have pointed out in previous books, we seek to discover certain points by conjecture,¹ reach our conclusions in others by means of definition,¹ dispose of others on legal grounds¹ or by raising the question of competence,² while other points are established by syllogism³ and others involve contradictions⁴ or are diversely interpreted owing to some ambiguity of language⁵), there is scarcely a single one which does not at some point or another involve the discussion of equity and virtue, while there are also, as everyone knows, not a few which turn entirely on questions of quality. Again in deliberative assemblies how can we advise a policy without raising the question of what is honourable? Nay, even the third department of oratory, which is concerned with the tasks of praise and denunciation, must without a doubt deal with questions of right and wrong. For the orator will assuredly have much to say on such topics as justice, fortitude, abstinence, self-control and piety. But the good man, who has come to the knowledge of these things not by mere hearsay, as though they were just words and names for his tongue to employ, but has grasped the meaning of virtue and acquired a true feeling for it, will never be perplexed when he has to think out a problem, but will speak out truly what he knows. Since, however, *general* questions are always more important than special (for the particular is contained in the universal, while the universal is never to be regarded as something superimposed on the particular), everyone will readily admit that the studies of which we are speaking are pre-eminently concerned with general questions. Further, since there are numerous points which require to be

determined by appropriate and concise definitions (hence the *definitive basis*¹ of cases), it is surely desirable that the orator should be instructed in such things by those who have devoted special attention to the subject. Again, does not every question of law turn either on the precise meaning of words, the discussion of equity, or conjecture as to the intention—subjects which in part encroach on the domain of dialectic and in part on that of ethics? Consequently all oratory involves a natural admixture 20 of all these philosophic elements—at least, that is to say, all oratory that is worthy of the name. For mere garrulity that is ignorant of all such learning must needs go astray, since its guides are either non-existent or false.

Physics² on the other hand is far richer than the other branches of philosophy, if viewed from the standpoint of providing exercise in speaking, in proportion as a loftier inspiration is required to speak of things divine than of things human; and further it includes within its scope the whole of ethics, which as we have shown³ are essential to the very existence of oratory. For, if the world is 21 governed by providence, it will certainly be the duty of all good men to bear their part in the administration of the state. If the origin of our souls be divine, we must win our way towards virtue and abjure the service of the lusts of our earthly body. Are not these themes which the orator will frequently be called upon to handle? Again there are questions concerned with auguries and oracles or any other religious topic (all of them subjects that have often given rise to the most important debates in the senate) on which the orator will have to

discourse, if he is also to be the statesman we would have him be. And finally, how can we conceive of any real eloquence at all proceeding from a man who is ignorant of all that is best in the world? If our reason did not make these facts 22 obvious, we should still be led by historical examples to believe their truth. For Pericles, whose eloquence, despite the fact that it has left no visible record for posterity, was none the less, if we may believe the historians and that free-speaking tribe, the old comic poets, endowed with almost incredible force, is known to have been a pupil of the physicist Anaxagoras, while Demosthenes, greatest of all the orators of Greece, sat at the feet of Plato. As for 23 Cicero, he has often proclaimed¹ the fact that he owed less to the schools of rhetoric than to the walks of Academe: nor would he ever have developed such amazing fertility of talent, had he bounded his genius by the limits of the forum and not by the frontiers of nature herself.

But this leads me to another question as to which school of philosophy is like to prove of most service to oratory, although there are only a few that can be said to contend for this honour. For in the first 24 place Epicurus banishes us from his presence without more ado, since he bids all his followers to fly from learning in the swiftest ship that they can find.² Nor would Aristippus, who regards the highest good as consisting in physical pleasure, be likely to exhort us to the toils entailed by our study. And what part can Pyrrho have in the work that is before us? For he will have doubts as to whether there exist judges to address, accused to defend, or a senate where he can be called upon to speak his opinion.

Some authorities hold that the Academy will be the 25
 most useful school, on the ground that its habit of
 disputing on both sides of a question approaches
 most nearly to the actual practice of the courts.
 And by way of proof they add the fact that this
 school has produced speakers highly renowned for
 their eloquence. The Peripatetics also make it their
 boast that they have a form of study which is near
 akin to oratory. For it was with them in the main
 that originated the practice of declaiming on general
 questions¹ by way of exercise. The Stoics, though
 driven to admit that, generally speaking, their teachers
 have been deficient both in fullness and charm of
 eloquence, still contend that no men can prove more
 acutely or draw conclusions with greater subtlety
 than themselves. But all these arguments take 26
 place within their own circle, for, as though they
 were tied by some solemn oath or held fast in the
 bonds of some superstitious belief, they consider that
 it is a crime to abandon a conviction once formed.
 On the other hand, there is no need for an orator to
 swear allegiance to any one philosophic code. For, 27
 he has a greater and nobler aim, to which he directs
 all his efforts with as much zeal as if he were a
 candidate for office, since he is to be made perfect
 not only in the glory of a virtuous life, but in that of
 eloquence as well. He will consequently select as
 his models of eloquence all the greatest masters of
 oratory, and will choose the noblest precepts and
 the most direct road to virtue as the means for
 the formation of an upright character. He will
 neglect no form of exercise, but will devote special
 attention to those which are of the highest and
 fairest nature. For what subject can be found more 28

fully adapted to a rich and weighty eloquence than the topics of virtue, politics, providence, the origin of the soul and friendship? The themes which tend to elevate mind and language alike are questions such as what things are truly good, what means there are of assuaging fear, restraining the passions and lifting us and the soul that came from heaven clear of the delusions of the common herd.

But it is desirable that we should not restrict our 29 study to the precepts of philosophy alone. It is still more important that we should know and ponder continually all the noblest sayings and deeds that have been handed down to us from ancient times. And assuredly we shall nowhere find a larger or more remarkable store of these than in the records of our own country. Who will teach courage, justice, 30 loyalty, self-control, simplicity, and contempt of grief and pain better than men like Fabricius, Curius, Regulus, Decius, Mucius and countless others? For if the Greeks bear away the palm for moral precepts, Rome can produce more striking examples of moral performance, which is a far greater thing. But the 31 man who does not believe that it is enough to fix his eyes merely on his own age and his own transitory life, but regards the space allotted for an honourable life and the course in which glory's race is run as conditioned solely by the memory of posterity, will not rest content with a mere knowledge of the events of history. No, it is from the thought of posterity that he must inspire his soul with justice and derive that freedom of spirit which it is his duty to display when he pleads in the courts or gives counsel in the senate. No man will ever be the consummate orator of whom we are in quest unless

he has both the knowledge and the courage to speak in accordance with the promptings of honour.

III. Our orator will also require a knowledge of civil law and of the custom and religion of the state in whose life he is to bear his part. For how will he be able to advise either in public or in private, if he is ignorant of all the main elements that go to make the state? How can he truthfully call himself an advocate if he has to go to others to acquire that knowledge which is all-important in the courts? He will be little better than if he were a reciter of the poets. For he will be a mere transmitter of the 2 instructions that others have given him, it will be on the authority of others that he propounds what he asks the judge to believe, and he whose duty it is to succour the litigant will himself be in need of succour. It is true that at times this may be effected with but little inconvenience, if what he advances for the edification of the judge has been taught him and composed in the seclusion of his study and learnt by heart there like other elements of the case. But what will he do, when he is confronted by unexpected problems such as frequently arise in the actual course of pleading? Will he not disgrace himself by looking round and asking the junior counsel who sit on the benches behind him for advice? Can 3 he hope to get a thorough grasp of such information at the very moment when he is required to produce it in his speech? Can he make his assertions with confidence or speak with native simplicity as though his arguments were his own? Grant that he may do so in his actual speech. But what will he do in a debate, when he has continually to meet fresh points raised by his opponent and is given no time to learn

BOOK XII. III. 3-6

up his case? What will he do, if he has no legal expert to advise him or if his prompter through insufficient knowledge of the subject provides him with information that is false? It is the most serious drawback of such ignorance, that he will always believe that his adviser knows what he is talking about. I am not ignorant of the generally prevailing custom, nor have I forgotten those who sit by our store-chests and provide weapons for the pleader: I know too that the Greeks did likewise: hence the name of *pragmaticus* which was bestowed on such persons. But I am speaking of an orator, who owes it as a duty to his case to serve it not merely by the loudness of his voice, but by all other means that may be of assistance to it. Consequently I do not wish my orator to be helpless, if it so chance that he puts in an appearance for the preliminary proceedings to which the hour before the commencement of the trial¹ is allotted, or to be unskilful in the preparation and production of evidence. For who, sooner than himself, should prepare the points which he wishes to be brought out when he is pleading? You might as well suppose that the qualifications of a successful general consist merely in courage and energy in the field of battle and skill in meeting all the demands of actual conflict, while suffering him to be ignorant of the methods of levying troops, mustering and equipping his forces, arranging for supplies or selecting a suitable position for his camp, despite the fact that preparation for war is an essential preliminary for its successful conduct. And yet such a general would bear a very close resemblance to the advocate who leaves much of the detail that is necessary for success to

BOOK XII. III. 6-9

the care of others, more especially in view of the fact that this, the most necessary element in the management of a case, is not as difficult as it may perhaps seem to outside observers. For every point of law, which is certain, is based either on written law or accepted custom: if, on the other hand, the point is doubtful, it must be examined in the light of equity. Laws which are either written or founded 7 on accepted custom present no difficulty, since they call merely for knowledge and make no demand on the imagination. On the other hand, the points explained in the rulings of the legal experts turn either on the interpretation of words or on the distinction between right and wrong. To understand the meaning of each word is either common to all sensible men or the special possession of the orator, while the demands of equity are known to every good man. Now I regard the orator above all as being 8 a man of virtue and good sense, who will not be seriously troubled, after having devoted himself to the study of that which is excellent by nature, if some legal expert disagrees with him; for even they are allowed to disagree among themselves. But if he further wishes to know the views of everyone, he will require to read, and reading is the least laborious of all the tasks that fall to the student's lot. Moreover, if the class of legal experts is as a rule 9 drawn from those who, in despair of making successful pleaders, have taken refuge with the law, how easy it must be for an orator to know what those succeed in learning, who by their own confession are incapable of becoming orators! But Marcus Cato was at once a great orator and an expert lawyer, while Scaevola and Servius Sulpicius

were universally allowed to be eloquent as well.¹ And Cicero not merely possessed a sufficient supply of 10 legal knowledge to serve his needs when pleading, but actually began to write on the subject, so that it is clear that an orator has not merely time to learn, but even to teach the law.

Let no one, however, regard the advice I have 11 given as to the attention due to the development of character and the study of the law as being impugned by the fact that we are familiar with many who, because they were weary of the toil entailed on those who seek to scale the heights of eloquence, have betaken themselves to the study of law as a refuge for their indolence. Some of these transfer their attention to the praetor's edicts or the civil law,² and have preferred to become specialists in *formulae*, or legalists, as Cicero³ calls them, on the pretext of choosing a more useful branch of study, whereas their real motive was its comparative easiness. Others are the victims of a 12 more arrogant form of sloth; they assume a stern air and let their beards grow, and, as though despising the precepts of oratory, sit for a while in the schools of the philosophers, that, by an assumption of a severe mien before the public gaze and by an affected contempt of others they may assert their moral superiority, while leading a life of debauchery at home. For philosophy may be counterfeited, but eloquence never.

IV. Above all, our orator should be equipped with a rich store of examples both old and new: and he ought not merely to know those which are recorded in history or transmitted by oral tradition or occur from day to day, but should not neglect

even those fictitious examples invented by the great poets. For while the former have the authority of evidence or even of legal decisions, the latter also either have the warrant of antiquity or are regarded as having been invented by great men to serve as lessons to the world. He should therefore be acquainted with as many examples as possible. It is this which gives old age so much authority, since the old are believed to have a larger store of knowledge and experience, as Homer so frequently bears witness. But we must not wait till the evening of our days, since study has this advantage that, as far as knowledge of facts is concerned, it is capable of giving the impression that we have lived in ages long gone by.

V. Such are the instruments of which I promised¹ to give account, the instruments, that is, not merely of the art, as some have held, but of the orator himself. These are the weapons that he should have ready to his hand, this the knowledge with which he must be equipped, while it must be supplemented by a ready store of words and figures, power of imagination, skill in arrangement, retentiveness of memory and grace of delivery. But of all these qualities the highest is that loftiness of soul which fear cannot dismay nor uproar terrify nor the authority of the audience fetter further than the respect which is their due. For although the vices which are its² opposites, such as arrogance, temerity, impudence and presumption, are all positively obnoxious, still without constancy, confidence and courage, art, study and proficiency will be of no avail. You might as well put weapons into the hands of the unwarlike and the coward. It is indeed with some reluctance,

BOOK XII. v. 2-5

as it may give rise to misunderstanding, that I say that even modesty (which, though a fault in itself, is an amiable failing which may easily be the mother of virtues) is on occasion an impediment and has frequently caused the fruits of genius and study to consume away in the mildew of obscurity merely because they have never been displayed to the public day. But in case any of my readers should still lack 3 skill to distinguish the precise meaning of each word, I would have him know that it is not honest shame that is the object of my criticism, but that excess of modesty which is really a form of fear deterring the soul from doing what is its duty to do, and resulting in confusion of mind, regret that our task was ever begun, and sudden silence. For who can hesitate to give the name of fault to a feeling that makes a man ashamed to do what is right? On 4 the other hand, I am not unwilling that the man who has got to make a speech should show signs of nervousness when he rises to his feet, should change colour and make it clear that he feels the risks of his position: indeed, if these symptoms do not occur naturally, it will be necessary to simulate them. But the feeling that stirs us should be due to the realisation of the magnitude of our task and not to fear: we should be moved, but not to the extent of collapsing. But the best remedy for such excess of modesty is confidence: however great our natural timidity of mien, we shall find strength and support in the consciousness of the nobility of our task.

There are also those natural instruments which, as I mentioned above,¹ may be further improved by care, such as voice, lungs and grace of carriage and movement, all of which are of such importance

BOOK XII. v. 5-vi. 2

as frequently to give a speaker the reputation for talent. Our own age has had orators of greater resource and power, but Trachalus appeared to stand out above all his contemporaries, when he was speaking. Such was the effect produced by his lofty stature, the fire of his eye, the dignity of his brow, the excellence of his gesture, coupled with a voice which was not almost a tragedian's, as Cicero¹ demands that it should be, but surpassed the voice of all tragedians that I have ever heard. At any rate I remember that, when he was speaking in the Basilica Julia before the first tribunal, and the four panels of judges² were assembled as usual and the whole building was full of noise, he could still be heard and understood and applauded from all four tribunals at once, a fact which was not complimentary to the other pleaders. But gifts like these are such as all may pray for and few are happy enough to attain. And if we cannot achieve such fortune, we must even be content to be heard by the court which we are addressing. Such then should the orator be, and such are the things which he should know.

VI. The age at which the orator should begin to plead will of course depend on the development of his strength. I shall not specify it further, since it is clear that Demosthenes pleaded against his guardians while he was still a mere boy, Calvus, Caesar and Pollio³ all undertook cases of the first importance before they were old enough to be qualified for the quaestorship, others are said to have pleaded while still wearing the garb of boyhood, and Augustus Caesar delivered a funeral oration over his grandmother from the public rostra when he was only twelve years old. In my opinion we should aim 2

BOOK XII. vi. 2-4

at a happy mean. The unripe brow of boyhood should not be prematurely robbed of its ingenuous air nor should the young speaker's powers be brought before the public while yet unformed, since such a practice leads to a contempt for study, lays the foundations of impudence and induces a fault which is pernicious in all departments of life, namely, a self-confidence that is not justified by the speaker's resources. On the other hand, it is undesirable to 3 postpone the apprenticeship of the bar till old age: for the fear of appearing in public grows daily and the magnitude of the task on which we must venture continually increases and we waste time deliberating when we should begin, till we find it is too late to begin at all. Consequently it is desirable that the fruit of our studies should be brought before the public eye while it is still fresh and sweet, while it may hope for indulgence and be secure of a kindly disposition in the audience, while boldness is not unbecoming and youth compensates for all defects and boyish extravagance is regarded as a sign of natural vigour. Take for example the whole of the 4 well-known passage from Cicero's defence of Sextus Roscius:¹ "For what is more common than the air to the living, than the earth to the dead, than the sea to mariners or the shore to shipwrecked men?" etc. This passage was delivered at the age of twenty-six amid loud applause from the audience, but in later years² he acknowledges that the ferment of youth has died down and his style been clarified with age. And, indeed, however much private study may contribute to success, there is still a peculiar proficiency that the courts alone can give: for there the atmosphere is changed and the reality of the

peril puts a different complexion on things, while, if it is impossible to combine the two, practice without theory is more useful than theory without practice. Consequently, some who have grown old in the schools lose their heads when confronted by the novelty of the law courts and wish that it were possible to reproduce all the conditions under which they delivered their exercises. But there sits the judge in silence, their opponent bellows at them, no rash utterance passes unnoticed and all assumptions must be proved, the clock cuts short the speech that has been laboriously pieced together at the cost of hours of study both by day and night, and there are certain cases which require simplicity of language and the abandonment of the perpetual bombast of the schools, a fact which these fluent fellows completely fail to realise. And so you will find some persons who regard themselves as too eloquent to speak in the courts. On the other hand, the man, whom we conducted to the forum while still young and in the charm of immaturity, should begin with as easy and favourable a case as may be (just as the cubs of wild beasts are brought up to start with on softer forms of prey), and should not proceed straight from this commencement to plead case after case without a break, or cause his talents to set and harden while they still require nourishment; on the contrary, as soon as he has come to realise the nature of the conflicts in which he will have to engage and the object to which his studies should be directed, he should take an interval of rest and refreshment. Thus, at an age to which boldness is still natural, he will find it easy to get over the timidity which invariably accompanies the period of apprenticeship, and

BOOK XII. VI. 7-VII. 2

will not, on the other hand, carry his boldness so far as to lead him to despise the difficulties of his task. This was the method employed by Cicero: for when he had already won a distinguished position at the bar of his day, he took ship to Asia and there studied under a number of professors of philosophy and rhetoric, (but above all under Apollonius Molon, whose lectures he had attended at Rome and to whom he now at Rhodes entrusted the refashioning and recasting of his style.) It is only when theory and practice are brought into a perfect harmony that the orator reaps the reward of all his study.

VII. When our orator has developed his strength to such a pitch that it is equal to every kind of conflict in which he may be called upon to bear his part, his first consideration should be to exercise care in the choice of the cases which he proposes to undertake. A good man will undoubtedly prefer defence to prosecution, but he will not have such a rooted objection to the task of accuser as to disregard his duty towards the state or towards individuals and refuse to call any man to render an account of his way of life. For the laws themselves would be powerless without the assistance of advocates equal to the task of supporting them; and to regard it as a sin to demand the punishment of crime is almost equivalent to the sanctioning of crime, while it is certainly contrary to the interest of the good to give the wicked free leave to work their will. Therefore, our ² orator will not suffer the complaints of our allies, the death of friends or kinsmen, or conspiracies that threaten the common weal to go unavenged, while his conduct will be governed not by a passion to secure the punishment of the guilty, but by the

desire to correct vice and reform morals. For fear is the only means of restraining those who cannot be led to better ways by the voice of reason. Consequently, while to devote one's life to the task of accusation, and to be tempted by the hope of reward to bring the guilty to trial is little better than making one's living by highway robbery, none the less to rid one's country of the pests that gnaw its vitals is conduct worthy of comparison with that of heroes, who champion their country's cause in the field of battle. For this reason men who were leaders of the state have not refused to undertake this portion of an orator's duty, and even young men of high rank have been regarded as giving their country a pledge of their devotion by accusing bad citizens, since it was thought that their hatred of evil and their readiness to incur enmity were proofs of their confidence in their own rectitude. Such action was taken by Hortensius, the Luculli, Sulpicius, Cicero, Caesar and many others, among them both the Catos, of whom one was actually called the Wise,¹ while if the other is not regarded as wise, I do not know of any that can claim the title after him. On the other hand, this same orator of ours will not defend all and sundry: that haven of safety which his eloquence provides will never be opened to pirates as it is to others, and he will be led to undertake cases mainly by consideration of their nature. However, since one man cannot undertake the cases of all litigants who are not, as many undoubtedly are, dishonest, he will be influenced to some extent by the character of the persons who recommend clients to his protection and also by the character of the litigants themselves, and will allow himself to be moved by

the wishes of all virtuous men ; for a good man will naturally have such for his most intimate friends. But he must put away from him two kinds of 6 pretentious display, the one consisting in the officious proffering of his services to the powerful against those of meaner position, and the other, which is even more obtrusive, in deliberately supporting inferiors against those of high degree. For a case is not rendered either just or the reverse by the social position of the parties engaged. Nor, again, will a sense of shame deter him from throwing over a case which he has undertaken in the belief that it had justice on its side, but which his study of the facts has shown to be unjust, although before doing so he should give his client his true opinion on the case. For, if we judge aright, there is no greater 7 benefit that we can confer on our clients than this, that we should not cheat them by giving them empty hopes of success. On the other hand, no client that does not take his advocate into his counsel deserves that advocate's assistance, and it is certainly unworthy of our ideal orator that he should wittingly defend injustice. For if he is led to defend what is false by any of the motives which I mentioned above,¹ his own action will still be honourable.

It is an open question whether he should never 8 demand a fee for his services. To decide the question at first sight would be the act of a fool. For we all know that by far the most honourable course, and the one which is most in keeping with a liberal education and that temper of mind which we desiderate, is not to sell our services nor to debase the value of such a boon as eloquence, since there are not a few things which come to be regarded as

cheap, merely because they have a price set upon them. This much even the blind can see, as the saying is, and no one who is the possessor of sufficient wealth to satisfy his needs (and that does not imply any great opulence) will seek to secure an income by such methods without laying himself open to the charge of meanness. On the other hand, if his domestic circumstances are such as to require some addition to his income to enable him to meet the necessary demands upon his purse, there is not a philosopher who would forbid him to accept this form of recompense for his services, since collections were made even on behalf of Socrates, and Zeno, Cleanthes and Chrysippus took fees from their pupils. Nor can I see how we can turn a more honest penny than by performance of the most honourable of tasks and by accepting money from those to whom we have rendered the most signal services and who, if they made no return for what we have done for them, would show themselves undeserving to have been defended by us. Nay, it is not only just, but necessary that this should be so, since the duties of advocacy and the bestowal of every minute of our time on the affairs of others deprive us of all other means of making money. But we must none the less observe the happy mean, and it makes no small difference from whom we take payment, what payment we demand, and how long we continue to do so. As for the piratical practice of bargaining and the scandalous traffic of those who proportion their fees to the peril in which their would-be client stands, such a procedure will be eschewed even by those who are more than half scoundrels, more especially since the advocate who devotes himself

to the defence of good men and worthy causes will have nothing to fear from ingratitude. And even if a client should prove ungrateful, it is better that he should be the sinner and not our orator. To con- 12
clude, then, the orator will not seek to make more money than is sufficient for his needs, and even if he is poor, he will not regard his payment as a fee, but rather as the expression of the principle that one good turn deserves another, since he will be well aware that he has conferred far more than he receives. For it does not follow that because his services ought not to be sold, they should therefore be unremunerated. Finally, gratitude is primarily the business of the debtor.

VIII. We have next to consider how a case should be studied, since such study is the foundation of oratory. There is no one so destitute of all talent as, after making himself thoroughly familiar with all the facts of his case, to be unable at least to communicate those facts to the judge. But those who 2
devote any serious attention to such study are very few indeed. For, to say nothing of those careless advocates who are quite indifferent as to what the pivot of the whole case may be, provided only there are points which, though irrelevant to the case, will give them the opportunity of declaiming in thunderous tones on the character of persons involved or developing some commonplace, there are some who are so perverted by vanity that, on the oft-repeated pretext that they are occupied by other business, they bid their client come to them on the day preceding the trial or early on the morning of the day itself, and sometimes even boast that they learnt up their case while sitting in court; while others by 3

BOOK XII. VIII. 3-5

way of creating an impression of extraordinary talent, and to make it seem that they are quick in the uptake, pretend that they have grasped the facts of the case and understand the situation almost before they have heard what it is, and then after chanting out some long and fluent discourse which has nought to do either with the judge or their client, but awakens the clamorous applause of the audience, they are escorted home through the forum, perspiring at every pore and attended by flocks of enthusiastic friends. Further, I would not even tolerate the 4 affectation of those who insist that their friends, and not themselves, should be instructed in the facts of the case, though this is a less serious evil, if the friends can be relied upon to learn and supply the facts correctly. But who can give such effective study to the case as the advocate himself? How can the intermediary, the go-between or interpreter, devote himself whole-heartedly to the study of other men's cases, when those who have got to do the actual pleading do not think it worth while to get up their own? On the other hand, it is a most 5 pernicious practice to rest content with a written statement of the case composed either by the litigant who betakes himself to an advocate because he finds that his own powers are not equal to the conduct of his case, or by some member of that class of legal advisers¹ who admit that they are incapable of pleading, and then proceed to take upon themselves the most difficult of all the tasks that confront the pleader. For if a man is capable of judging what should be said, what concealed, what avoided, altered or even invented, why should he not appear as orator himself, since he performs the far more difficult feat of making

an orator? Such persons would not, however, do so much harm if they would only put down all the facts as they occurred. But as it is, they add suggestions of their own, put their own construction on the facts and insert inventions which are far more damaging than the unvarnished truth. And then the advocate as a rule, on receiving the document, regards it as a crime to make any alteration, and keeps to it as faithfully as if it were a theme set for declamation in the schools. The sequel is that they are tripped up and have to learn from their opponents the case which they refused to learn from their own clients. We should therefore above all allow 7 the parties concerned ample time for an interview in a place free from interruption, and should even exhort them to set forth on the spot all the facts in as many words as they may choose to use and allowing them to go as far back as they please. For it is less of a drawback to listen to a number of irrelevant facts than to be left in ignorance of essentials. Moreover, the orator will often detect both the evil 8 and its remedy in facts which the litigant regarded as devoid of all importance, one way or the other. Further, the advocate who has got to plead the case should not put such excessive confidence in his powers of memory as to disdain to jot down what he has heard.

Nor should one hearing be regarded as sufficient. The litigant should be made to repeat his statements at least once, not merely because certain points may have escaped him on the occasion of his first statement, as is extremely likely to happen if, as is often the case, he is a man of no education, but also that we may note whether he sticks to what he originally

BOOK XII. VIII. 8-12

said. For a large number of clients lie, and hold 9
 forth, not as if they were instructing their advocate
 in the facts of the case, but as if they were pleading
 with a judge. Consequently we must never be too
 ready to believe them, but must test them in every
 way, try to confuse them and draw them out. For 10
 just as doctors have to do more than treat the
 ailments which meet the eye, and need also to
 discover those which lie hid, since their patients
 often conceal the truth, so the advocate must look
 out for more points than his client discloses to him.
 After he considers that he has given a sufficiently
 patient hearing to the latter's statements, he must
 assume another character and adopt the rôle of his
 opponent, urging every conceivable objection that a
 discussion of the kind which we are considering may
 permit. The client must be subjected to a hostile 11
 cross-examination and given no peace: for by en-
 quiring into everything, we shall sometimes come
 upon the truth where we least expect it.

In fact, the advocate who is most successful in
 getting up his case is he who is incredulous. For
 the client promises everything: the people, he says,
 will bear witness to the truth of what he says, he can
 produce documentary evidence at a moment's notice
 and there are some points which he says his opponent
 will not deny. It is therefore necessary to look into 12
 every document connected with the case, and where
 the mere sight of them is not sufficient, they must
 be read through. For very frequently they are
 either not at all what the client alleged them to be,
 or contain less, or are mixed up with elements that
 may damage our case, or prove more than is required
 and are likely to detract from their credibility just

BOOK XII. VIII. 12-15

because they are so extravagant. Further, it will 13
often be found that the thread is broken or the seal
tampered with or the signatures unsupported by
witnesses. And unless you discover such facts at
home, they will take you by surprise in court and
trip you up, doing you more harm by forcing you to
abandon them than they would have done had they
never been promised you. There are also a number
of points which the client regards as irrelevant to
his case, which the advocate will be able to elicit,
provided he go carefully through all the "dwelling-
places" of argument which I have already described.¹
Now though, for reasons already mentioned, it is 14
most undesirable that he should hunt for and try
every single one of those, while actually engaged in
pleading his case, it is most necessary in the prelimi-
nary study of the case to leave no stone unturned to
discover the character of the persons involved, the
circumstances of time and place, the customs and
documents concerned, and the rest, from which we
may not merely deduce the proofs known as artificial,
but may also discover which witnesses are most to be
feared and the best method of refuting them. For
it makes a great difference whether it be envy,
hatred or contempt that forms the chief obstacle to
the success of the defence, since of these obstacles
the first tells most against superiors, the second
against equals, and the third against those of low
degree.

Having thus given a thorough examination 15
to the case and clearly envisaged all those points
which will tell for or against his client, the orator
must then place himself in the position of a third
person, namely, the judge, and imagine that the

case is being pleaded before himself, and assume that the point which would have carried most weight with himself, had he been trying the case, is likely to have the greatest influence with the actual judge. Thus he will rarely be deceived as to the result of the trial, or, if he is, it will be the fault of the judge.

IX. As regards the points to be observed in the actual pleading, I have dealt with these in every portion of this work, but there still remain a few on which I must touch as being specially appropriate to the present place, since they are concerned not so much with the art of speaking as with the duties of the advocate. Above all it is important that he should never, like so many, be led by a desire to win applause to neglect the interest of the actual case. It is not always the duty of generals in the field to lead their armies through flat and smiling country: it will often be necessary to cross rugged mountain ranges, to storm cities placed on inaccessible cliffs or rendered difficult of access by elaborate fortifications. Similarly oratory will always be glad of the opportunity of manœuvring in all its freedom and delighting the spectator by the deployment of its full strength for conflict in the open field; but if it is forced to enter the tortuous defiles of the law, or dark places whence the truth has to be dragged forth, it will not go prancing in front of the enemy's lines nor launch its shafts of quivering and passionate epigram of the fashion that is now so popular, but will wage war by means of sap and mine and ambush and all the tactics of secrecy. None of these methods win applause during their actual execution: the reward comes after they have been carried to a successful termination, when even the most ambitious

will reap a richer recompense than they could ever have secured by other means. For so soon as the thunders of applause awakened among their admirers by these affected declamatory displays have died away, the glory of true virtue rises again with renewed splendour, the judges do not conceal who it is has moved them, the well-trained orator wins their belief and oratory receives its only genuine tribute, the praise accorded it when its task is done. The old orators indeed used to conceal their elo- 5 quence, a method which is recommended by Marcus Antonius, as a means of securing that the speaker's words should carry conviction and of masking the advocate's real designs. But the truth is that the eloquence of those days was capable of concealment, for it had not yet attained that splendour of diction which makes it impossible to hide its light under a bushel. Therefore artifice and stratagem should be masked, since detection in such cases spells failure. Thus far, and thus only, may eloquence hope to enjoy the advantages of secrecy. But when we come to 6 consider the choice of words, the weight essential to general reflexions and the elegance demanded by figures, we are confronted by elements which must either strike the attention or be condemned to non-existence. But the very fact that they strike the attention is a reason why they should not flaunt themselves obtrusively. And, if we have to make the choice, I should prefer that it should be the cause, and not the orator, to which we award our praise. Nevertheless, the true orator will achieve the distinction of seeming to speak with all the excellence that an excellent case deserves. One thing may be regarded as certain, that no one can

plead worse than he who wins applause despite the disapproval meted out to his case. For the inevitable conclusion is that the applause must have been evoked by something having no connexion with the case. Further, the true orator will not turn up his 7 nose at cases of minor importance on the ground of their being beneath his dignity or as being likely to detract from his reputation because the subject matter does not allow his genius full scope. For the strongest reason for undertaking a case is to be found in our duty towards our clients: nay, we should even desire the suits in which our friends are involved to be as unimportant as possible, and remember that the advocate who gives an adequate presentment to his case, has spoken exceeding well.

But there are some who, even although the cases 8 which they have undertaken give but small scope for eloquence, none the less trick it out with matter drawn from without and, if all else fails, fill up the gaps in their case with abuse of their opponents, true if possible, but false if necessary, the sole consideration that weighs with them being that it affords exercise for their talents and is likely to win applause during its delivery. Such conduct seems to me so unworthy of our perfect orator that, in my opinion, he will not even bring true charges against his opponents unless the case demand. For it is a 9 dog's eloquence, as Appius says, to undertake the task of abusing one's opponent,¹ and they who do so should steel themselves in advance to the prospect of being targets for like abuse themselves, since those who adopt this style of pleading are frequently attacked themselves, and there can at any rate be no doubt that the litigant pays dearly for the violence

BOOK XII. ix. 9-13

of his advocate. But such faults are less serious than that which lies deep in the soul itself, making the evil speaker to differ from the evil doer only in respect of opportunity. It is not uncommon for 10 the litigant to demand a base and inhuman gratification of his rancour, such as not a single man among the audience will approve, for it is on revenge rather than on protection that his heart is set. But in this, as in a number of other points, it is the duty of the orator to refuse to comply with his clients' desires. For how can a man with the least degree of gentlemanly feeling consent to make a brutal attack merely because another desires it? And yet there are some 11 who take pleasure in directing their onslaughts against their opponents' counsel as well, a practice which, unless they have deserved such attacks, shows an inhuman disregard of the duties incumbent on the profession, and is not merely useless to the speaker (since he thereby gives his opponent the right to reply in the same strain), but contrary to the interests of his case, since it creates a hostile and antagonistic disposition in the advocates attacked, whose eloquence, however feeble it may be, will be redoubled by resentment at the insults to which they have been subjected. Above all, it involves a 12 complete waste of one of the most valuable of an orator's assets, namely that self-restraint which gives weight and credit to his words, if he debases himself from an honest man into a snarling wrangler, directing all his efforts not to win the goodwill of the judge, but to gratify his client's spite. Often too 13 the attractions of freedom of speech will lure him into a rashness of language perilous not merely to the interests of the case, but to those of the speaker

himself. It was not without good reason that Pericles used to pray that no word might occur to his mind that could give offence to the people. But what he felt with regard to the people, I feel with regard to every audience, since they can cause just as much harm to the orator as the people could ever do to Pericles. For utterances which seemed courageous at the moment of speaking, are called foolish when it is found that they have given offence.

In view of the fact that there is commonly a great 14 variety in the aims which pleaders set before themselves and that the diligence shown by some is branded as tedious caution, while the readiness of others is criticised as rashness, I think that this will be an appropriate place to set forth my views as to how the orator ~~may strike the happy mean~~. He will 15 show all the diligence of which he is capable in his pleading. For to plead worse than he might have done, is not merely an indication of negligence, but stamps him as a bad man and a traitor, disloyal to the cause which he has undertaken. Consequently he must refuse to undertake more cases than he feels he can manage. As far as possible he will deliver 16 only what he has written, and, if circumstances permit, only what he has, as Demosthenes says,¹ carved into shape. Such a practice is possible in first hearings and also in subsequent hearings such as are granted in the public courts after an interval of several days. On the other hand, when we have to reply on the spot, it is impossible to prepare everything: in fact for the less ready type of speaker, it may, in the event of his opponents putting forward arguments quite other than those which they were expected to advance, be a positive drawback to have

written anything. For it is only with reluctance 17
 that such speakers will under such circumstances
 consent to abandon what they have written, and
 throughout their pleading keep looking back and
 trying to discover whether any portion of their
 manuscript can be saved from the wreck and inter-
 polated into what they have to improvise. And if
 they do make such interpolations, the result is a lack
 of cohesion which is betrayed not merely by the
 gaping of the seams where the patch has been un-
 skilfully inserted, but by the differences of style.
 Consequently, the vigour of their eloquence will be 18
 hampered and their thought will lack connexion, each
 of which circumstances reacts unfavourably upon the
 other, since what is written trammels the mind
 instead of following its lead. Therefore, in such
 pleadings we must, as the rustic adage says, "stand
 on all our feet." For since the case turns on the 19
 propounding and refutation of arguments, it is
 always possible to write out what we propose to
 advance on our own behalf, and similar preparation
 is also possible with regard to the refutation of such
 replies as are absolutely certain to be made by our
 adversary: for there are times when we have this
 certainty. But with regard to all other portions of
 our speech, the only preparation that is possible in
 advance consists in a thorough knowledge of our
 case, while there is a second precaution which may
 be taken in court, consisting in giving our best
 attention to our opponent's speech. On the other 20
 hand, there is much that may be thought out in
 advance and we may forearm our mind against all
 possible emergencies, a course which is far safer
 than writing, since a train of thought can easily be

abandoned or diverted in a new direction. But whether we have to improvise a reply, or are obliged to speak extempore by some other reason, the orator on whom training, study and practice have conferred the gift of facility, will never regard himself as lost or taken at hopeless disadvantage. He stands 21 armed for battle, ever ready for the fray, and his eloquence will no more fail him in the courts than speech will fail him in domestic affairs and the daily concerns of life: and he will never shirk his burden for fear of failing to find words, provided he has time to study his case: for all other knowledge will always be his at command.

X. The question of the "kind of style" to be adopted remains to be discussed. This was described in my original division¹ of my subject as forming its third portion: for I promised that I would speak of the art, the artist and the work. But since oratory is ~~the~~ work both of rhetoric and of the orator, and since it has many forms, as I shall show, the art and the artist are involved in the consideration of all these forms. But they differ greatly from one another, and not merely in *species*, as statue differs from statue, picture from picture and speech from speech, but in *genus* as well, as, for example, Etruscan statues differ from Greek and Asiatic orators from Attic. But these different kinds of 2 work, of which I speak, are not merely the product of different authors, but have each their own following of admirers, with the result that the perfect orator has not yet been found, a statement which perhaps may be extended to all arts, not merely because some qualities are more evident in some artists than in others, but because one single form

will not satisfy all critics, a fact which is due in part to conditions of time or place, in part to the taste and ideals of individuals.

The first great painters, whose works deserve 3 inspection for something more than their mere antiquity, are said to have been Polygnotus and Aglaophon,¹ whose simple colouring has still such enthusiastic admirers that they prefer these almost primitive works, which may be regarded as the first foundations of the art that was to be, over the works of the greatest of their successors, their motive being, in my opinion, an ostentatious desire to seem persons of superior taste. Later Zeuxis and Parrhasius contributed much to the progress of painting. These artists were separated by no great distance of time, since both flourished about the period of the Peloponnesian war: for example, Xenophon² has preserved a conversation between Socrates and Parrhasius. The first-mentioned seems to have discovered the method of representing light and shade, while the latter is said to have devoted special attention to the treatment of line. For 5 Zeuxis emphasised the limbs of the human body,³ thinking thereby to add dignity and grandeur to his style: it is generally supposed that in this he followed the example of Homer, who likes to represent even his female characters as being of heroic mould. Parrhasius, on the other hand, was so fine a draughtsman that he has been styled the law-giver of his art, on the ground that all other artists take his representations of gods and heroes as models, as though no other course were possible. It was, however, from about the period of the reign 6 of Philip down to that of the successors of Alexander

BOOK XII. x. 6-9

that painting flourished more especially, although the different artists are distinguished for different excellences. Protogenes, for example, was renowned for accuracy, Pamphilus and Melanthius for soundness of taste, Antiphilus for facility, Theon of Samos for his depiction of imaginary scenes, known as *φαντασίαι*, and Apelles for genius and grace, in the latter of which qualities he took especial pride. Euphranor, on the other hand, was admired on the ground that, while he ranked with the most eminent masters of other arts, he at the same time achieved marvellous skill in the arts of sculpture and painting.

The same differences exist between sculptors. The 7 art of Callon and Hegesias¹ is somewhat rude and recalls the Etruscans, but the work of Calamis has already begun to be less stiff, while Myron's statues show a greater softness of form than had been achieved by the artists just mentioned. Polyclitus surpassed all others for care and grace, but although the majority of critics account him as the greatest of sculptors, to avoid making him faultless they express the opinion that his work is lacking in grandeur. For while he gave the human form an 8 ideal grace, he is thought to have been less successful in representing the dignity of the gods. He is further alleged to have shrunk from representing persons of maturer years, and to have ventured on nothing more difficult than a smooth and beardless face. But the qualities lacking in Polyclitus are allowed to have been possessed by Phidias and Alcamenes. On the other hand, Phidias is regarded 9 as more gifted in his representation of gods than of men, and indeed for chryselephantine statues he is without a peer, as he would in truth be, even if he

had produced nothing in this material beyond his Minerva at Athens and his Jupiter at Olympia in Elis, whose beauty is such that it is said to have added something even to the awe with which the god was already regarded: so perfectly did the majesty of the work give the impression of godhead. Lysippus and Praxiteles are asserted to be supreme as regards faithfulness to nature. For Demetrius is blamed for carrying realism too far, and is less concerned about the beauty than the truth of his work.

Now, if we turn our attention to the various styles ¹⁰ of oratory, we shall find almost as great variety of talents as there are of personal appearance. There were certain kinds of oratory which, owing to the circumstances of the age, suffered from lack of polish, although in other respects they displayed remarkable genius. In this class we may place orators such as Laelius, Africanus, Cato, and even the Gracchi, whom we may call the "Polygnoti" and "Callones" of oratory. Among orators of the intermediate ¹¹ type we may rank Lucius Crassus and Quintus Hortensius. Then let us turn to a vast harvest of orators who flourished much about the same period. It is here that we find the vigour of Caesar, the natural talent of Caelius, the subtlety of Calidius, the accuracy of Pollio, the dignity of Messala, the austerity of Calvus, the gravity of Brutus, the acumen of Sulpicius and the bitterness of Cassius, while among those whom we have seen ourselves we admire the fluency of Seneca, the strength of Africanus, the mellowness of Afer, the charm of Crispus, the sonority of Trachalus and the elegance of Secundus. But in Cicero we have one who is not, ¹²

like Euphranor, merely distinguished in a number of different forms of art, but is supreme in all the different qualities which are praised in each individual orator.¹ And yet even his own contemporaries ventured to attack him on the ground that he was bombastic, Asiatic, redundant, given to excessive repetition, liable at times to be pointless in his witticisms, sensuous, extravagant and (an outrageous accusation!) almost effeminate in his rhythm. And 13 later, after he had fallen a victim to the proscription of the second triumvirate, those who hated and envied him and regarded him as their rival, nay, even those who had flattered him in the days of his power, attacked him now that he could no longer reply. But that very man, who is now regarded by some as being too jejune and dry, was attacked by his personal enemies on no other ground than that his style was too florid and his talents too little under control. Both charges are false, but there is more colour for the lie in the latter case than in the former. Those, however, who criticised him 14 most severely were the speakers who desired to be regarded as the imitators of Attic oratory. This coterie, regarding themselves as the sole initiates in the mysteries of their art, assailed him as an alien, indifferent to their superstitions and refusing to be bound by their laws. Their descendants are among us to-day, a withered, sapless and anaemic band. For it is they that flaunt their weakness under the 15 name of health, in defiance of the actual truth, and because they cannot endure the dazzling rays of the sun of eloquence, hide themselves beneath the shadow of a mighty name.² However, as Cicero himself answered them at length and in a number of

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passages, it will be safer for me to be brief in my treatment of this topic.

The distinction between the Attic and the Asiatic schools takes us back to antiquity. The former were regarded as concise and healthy, the latter as empty and inflated: the former were remarkable for the absence of all superfluity, while the latter were deficient alike in taste and restraint. The reason for this division, according to some authorities, among them Santra, is to be found in the fact that, as Greek gradually extended its range into the neighbouring cities of Asia, there arose a class of men who desired to distinguish themselves as orators before they had acquired sufficient command of the language, and who consequently began to express by periphrases what could have been expressed directly, until finally this practice became an ingrained habit. My own view, however, is that the difference between the two styles is attributable to the character both of the orators and the audiences whom they addressed: the Athenians, with their polish and refinement, refused to tolerate emptiness and redundancy, while the Asiatics, being naturally given to bombast and ostentation, were puffed up with a passion for a more vainglorious style of eloquence. At a later period, the critics, to whom we owe this classification, added a third style, the Rhodian, which they asserted to lie midway between the two and to be a blend of both, since the orators of this school are neither so concise as the Attic nor redundant like the Asiatic school, but appear to derive their style in part from their national characteristics, in part from those of their founder. For it was Aeschines who introduced the culture of

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BOOK XII. x. 19-22

Athens at Rhodes, which he had chosen as his place of exile: and just as certain plants degenerate as a result of change of soil and climate, so the fine Attic flavour was marred by the admixture of foreign ingredients. Consequently certain of the orators of this school are regarded as somewhat slow and lacking in energy, though not devoid of a certain weight, and as resembling placid pools rather than the limpid springs of Athens or the turbid torrents of Asia.

No one therefore should have any hesitation in pronouncing Attic oratory to be by far the best. ²⁰ But although all Attic writers have something in common, namely a keen and exact judgement, their talents manifest themselves in a number of different forms. Consequently I regard those critics as committing a serious error who regard only those ²¹ authors as Attic who, while they are simple, lucid and expressive, are none the less content with a certain frugality of eloquence, and keep their hands modestly within the folds of their cloaks. For what author is there who answers to this conception? I am prepared to grant that there is Lysias, since he is the favourite model of the admirers of this school, and such an admission will save us from being referred to Coccus¹ and Andocides. But I should like ²² to ask whether Isocrates spoke in the Attic style. For there is no author less like Lysias. They will answer in the negative. And yet it is to the school of Isocrates that we owe the greatest orators. Let us look for something closer. Is Hyperides Attic? Yes, they reply, but of an over-sensuous character. I pass by a number of orators, such as Lycurgus and Aristogeiton and their predecessors

Isaeus and Antiphon ; for though they have a certain generic resemblance, they may be said to differ in *species*. But what of Aeschines, whom I mentioned 23 just now ? Is not his style ampler and bolder and more lofty than theirs ? And what of Demosthenes himself ? Did not he surpass all those simple and circumspect orators in force, loftiness, energy, polish and rhythm ? Does he not rise to great heights in his *commonplaces* ? Does he not rejoice in the employment of figures ? Does he not make brilliant use of metaphor ? Does he not lend a voice, a fictitious utterance to speechless things ? Does not his famous 24 oath by the warriors who fell fighting for their country at Salamis and Marathon show that Plato was his master ? And shall we call Plato an Asiatic, Plato who as a rule deserves comparison with poets instinct with the divine fire of inspiration ? What of Pericles ? Can we believe that his style was like the slender stream of Lysias' eloquence, when the comedians, even while they revile him, compare his oratory to the bolts and thunder of the skies ? What is the 25 reason, then, why these critics regard that style which flows in a slender trickle and babbles among the pebbles as having the true Attic flavour and the true scent of Attic thyme ? I really think that, if they were to discover a soil of exceptional richness and a crop of unusual abundance within the boundaries of Attica, they would deny it to be Attic, on the ground that it has produced more seed than it received : for you will remember the mocking comments passed by Menander¹ on the exact fidelity with which the soil of Attica repays its deposits. Well, then, if any man should, in addition to the 26 actual virtues which the great orator Demosthenes

possessed, show himself to be the possessor of others, that either owing to his own temperament or the laws of Athens¹ Demosthenes is thought to have lacked, and should reveal in himself the power of strongly stirring the emotions, shall I hear one of these critics protesting that Demosthenes never did this? And if he produces something rhythmically superior (an impossible feat, perhaps, but let us assume it to be so), are we to be told that it is not Attic? These critics would show finer feeling and better judgement, if they took the view that Attic eloquence meant perfect eloquence.

Still I should find this attitude less intolerable if 27 it were only the Greeks that insisted on it. For Latin eloquence, although in my opinion it closely resembles the Greek as far as invention, arrangement, judgement and the like are concerned, and may indeed be regarded as its disciple, cannot aspire to imitate it in point of elocution. For, in the first place, it is harsher in sound, since our alphabet does not contain the most euphonious of the Greek letters, one a vowel and the other a consonant,² than which there are none that fall more sweetly on the ear, and which we are forced to borrow whenever we use Greek words. The result of such borrowing is, for 28 some reason or other, the immediate accession to our language of a certain liveliness and charm. Take, for example, words such as *sephyri* and *sophori* :³ if they were spelt according to the Latin alphabet, they would produce a heavy and barbarous sound. For we replace these letters by others of a harsh and unpleasant character,⁴ from which Greece is happily immune. For the sixth letter in our alphabet 29 is represented by a sound which can scarcely be

called human or even articulate, being produced by forcing the air through the interstices of the teeth. Such a sound, even when followed by a vowel, is harsh enough and, as often as it clashes (*frangit*) with a consonant,¹ as it does in this very word *frangit*, becomes harsher still. Then there is the Aeolic digamma whose sound occurs in words such as our *servus* and *cervus*; for even though we have rejected the actual form of the letter, we cannot get rid of that which it represents.² Similarly the 30 letter Q, which is superfluous and useless save for the purpose of attaching to itself the vowels by which it is followed, results in the formation of harsh syllables, as, for example, when we write *equos* and *aequum*, more especially since these two vowels together produce a sound for which Greek has no equivalent and which cannot therefore be expressed in Greek letters.³ Again, we have a number of 31 words which end with M, a letter which suggests the mooing of a cow, and is never the final letter in any Greek word: for in its place they use the letters *ny*, the sound of which is naturally pleasant and produces a ringing tone when it occurs at the end of a word, whereas in Latin this termination is scarcely ever found. Again, we have syllables which 32 produce such a harsh effect by ending in B and D, that many, not, it is true, of our most ancient writers, but still writers of considerable antiquity, have attempted to mitigate the harshness not merely by saying *aversa* for *abversa*, but by adding an S to the preposition *ab*, although S is an ugly letter in itself. Our accents also are less agreeable than 33 those of the Greeks. This is due to a certain rigidity and monotony of pronunciation, since the final

BOOK XII. x. 33-36

syllable is never marked by the rise of the acute accent nor by the rise and fall of the circumflex, but one or even two grave accents¹ are regularly to be found at the end. Consequently the Greek language is so much more agreeable in sound than the Latin, that our poets, whenever they wish their verse to be especially harmonious, adorn it with Greek words. A still stronger indication of the inferiority of Latin 34 is to be found in the fact that there are many things which have no Latin names, so that it is necessary to express them by metaphor or periphrasis, while even in the case of things which have names, the extreme poverty of the language leads us to resort to the same practice.² On the other hand, the Greeks have not merely abundance of words, but they have also a number of different dialects.

Consequently he who demands from Latin the 35 grace of Attic Greek, must first provide a like charm of tone and equal richness of vocabulary. If this advantage is denied us, we must adapt our thoughts to suit the words we have and, where our matter is unusually slight and delicate, must avoid expressing it in words which are, I will not say too gross, but at any rate too strong for it, for fear that the combination should result in the destruction both of delicacy and force. For the less help we 36 get from the language, the more must we rely on inventiveness of thought to bring us through the conflict. We must discover sentiments full of loftiness and variety, must stir all the emotions and illumine our style by brilliance of metaphor. Since we cannot be so delicate, let us be stronger. If they beat us for subtlety, let us prevail by weight, and if they have greater precision, let us outdo

them in fullness of expression. Even the lesser 37
 orators of Greece have their own havens where they
 may ride in safety,¹ while we as a rule carry more
 sail. Let stronger gales fill our canvas, and yet let
 us not always keep the high seas; for at times we
 must cling to shore. The Greeks can easily traverse
 any shallows; I must find a deeper, though not
 much deeper, channel, that my bark may not run
 aground. For even though the Greeks surpass us 38
 where circumstances call for delicacy and restraint,
 though we acknowledge their superiority in this
 respect alone, and therefore do not claim to rival
 them in comedy, that is no justification for our
 abandonment of this department of oratory, but
 rather a reason why we should handle it as best we
 can. Now we can at any rate resemble the Greeks
 in the method and judgement with which we treat
 our matter, although that grace of language, which
 our words cannot provide, must be secured by the
 admixture of foreign condiments. For example, is 39
 not Cicero shrewd, simple and not unduly exalted
 in tone, when he deals with private cases? Is not
 Calidius also distinguished for the same virtue?
 Were not Scipio, Laelius and Cato the Attic orators
 of Rome? Surely we ought to be satisfied with
 them, since nothing can be better.

There are still some critics who deny that any 40
 form of eloquence is purely natural, except that
 which closely resembles the ordinary speech of every-
 day life, which we use to our friends, our wives, our
 children and our slaves, a language, that is to say,
 which contents itself with expressing the purpose
 of the mind without seeking to discover anything
 in the way of elaborate and far-fetched phraseology.

And they hold that whatever is added to this simplicity lays the speaker open to the charge of affectation and pretentious ostentation of speech, void of all sincerity and elaborated merely for the sake of the words, although the sole duty assigned to words by nature is to be the servants of thought. Such language may be compared to the bodies of 41 athletes, which although they develop their strength by exercise and diet, are of unnatural growth and abnormal in appearance. For what, say these critics, is the good of expressing a thing by periphrasis or metaphor (that is, either by a number of words or by words which have no connexion with the thing), when everything has been allotted a name of its own? Finally, they urge that all the earliest orators 42 spoke according to the dictates of nature, but that subsequently there arose a class of speakers resembling poets rather than orators, who regarded false and artificial methods of expression as positive merits; they were, it is true, more sparing than the poets in their use of such expressions, but none the less worked on similar lines. There is some truth in this contention, and we should therefore be careful not to depart from the more exact usage of ordinary speech to the extent that is done by 43 certain orators. On the other hand, that is no reason for thus calumniating the man who, as I said in dealing with the subject of artistic structure,¹ succeeds in improving upon the bare necessities of style. For the common language of every day seems to me to be of a different character from the style of an eloquent speaker. If all that was required of the latter was merely to indicate the facts, he might rest content with literalness of language, without

further elaboration. But since it is his duty to delight and move his audience and to play upon the various feelings, it becomes necessary for him to employ those additional aids which are granted to us by that same nature which gave us speech. It is, in fact, as natural to do this as to harden the 44 muscles, increase our strength and improve our complexion by means of exercise. It is for this reason that among all nations one man is regarded as more eloquent and more attractive in his style than another (since if this were not the case, all speakers would be equal); but the same men speak differently on different subjects and observe distinctions of character. Consequently the more effective a man's speaking, the more in accordance with the nature of eloquence will it be.

I have, therefore, no strong objection even to the 45 views expressed by those who think that some concession should be made to the circumstances under which we speak and to the ears of the audience which require something more polished and emotional than ordinary speech. For this reason I consider that it would be absurd to restrict an orator to the style of the predecessors of Cato and the Gracchi, or even of those orators themselves. And I note that it was the practice of Cicero, while devoting himself in the main to the interests of his case, to take into account the delectation of his audience as well, since, as he pointed out, his own interests were concerned as well as those of his client, although of course the latter were of paramount importance. For his very 46 charm was a valuable asset. I do not know what can be added by way of improvement to the charms of his style, except perhaps the introduction of

something more in the way of brilliant reflexions to suit the taste of our own times. For this can be done without injury to the treatment of our case or impairing the authority of our language, provided that such embellishments are not too frequent or continuous, and do not mutually destroy the effects which they were designed to produce. I am ready 47 to go so far along the path of concession, but let no man press me further. I concur in the fashion of the day to the extent of agreeing that the toga should not be long in the nap, but not to the extent of insisting that it should be of silk: I agree that the hair should be cut, but not that it should be dressed in tiers and ringlets, since we must always remember that ornaments, unless they be judged from the standpoint of the fop and the debauchee, are always effective in proportion to their seemliness. But with regard to those passages to which we give 48 the name of *reflexions*,¹ a form of ornament which was not employed by the ancients and, above all, not by the Greeks, although I do find it in Cicero, who can deny their usefulness, provided they are relevant to the case, are not too diffuse and contribute to our success? For they strike the mind and often produce a decisive effect by one single blow, while their very brevity makes them cling to the memory, and the pleasure which they produce has the force of persuasion.

There are, however, some who, while allowing 49 the actual delivery of such specially brilliant forms of ornament, think that they should be excluded from the written speech. Consequently I must not dismiss even this topic without a word of discussion. For a number of learned authorities

have held that the written and the spoken speech stand on different footings, and that consequently some of the most eloquent of speakers have left nothing for posterity to read in durable literary form, as, for example, is the case with Pericles and Demades. Again, they urge that there have been authors, like Isocrates, who, while admirable writers, were not well-fitted for actual speaking; and, further, that 50 actual pleading is characterised by a greater energy and by the employment, almost verging on license, of every artifice designed to please, since the minds of an uneducated audience require to be moved and led. On the other hand, the written speech which is published as a model of style must be polished and filed and brought into conformity with the accepted rules and standards of artistic construction, since it will come into the hands of learned men and its art will be judged by artists. These subtle 51 teachers (for such they have persuaded themselves and others that they are) have laid it down that the παράδειγμα¹ is best suited for actual speech and the ἐνθύμημα² for writing. My own view is that there is absolutely no difference between writing well and speaking well, and that a written speech is merely a record of one that has actually been delivered. Consequently it must in my opinion possess every kind of merit, and note that I say merit, not fault. For I know that faults do sometimes meet with the approval of the uneducated. What, then, will be the difference between what is 52 written and what is spoken? If I were given a jury of wise men, I should cut down a large number of passages from the speeches not only of Cicero, but even of Demosthenes, who is much more concise.

For with such a jury there would be no need to appeal to the emotions nor to charm and soothe the ears, since according to Aristotle¹ even exordia are superfluous, if addressed to such persons, as they will have no influence upon judges who are truly wise: it will be sufficient to state the facts with precision and significance and to marshal our array of proofs. Since, however, our judges are the people, or drawn from the people, and since those who are appointed to give sentence are frequently ill-educated and sometimes mere rustics, it becomes necessary to employ every method that we think likely to assist our case, and these artifices must not merely be produced in speech, but exhibited in the written version as well, at least if in writing it our design is to show how it should be spoken. If Demosthenes or Cicero had spoken the words as they wrote them, would either have spoken ill? And is our acquaintance with either of those two great orators based on anything save their writings? Did they speak better, then, or worse than they wrote? If they spoke worse, all that can be said is that they should have spoken as they wrote, while, if they spoke better, they should have written as they spoke. Well, you ask, is an orator then always to speak as he writes? If possible, always. If, however, the time allowed by the judge is too short for this to be possible, he will have to cut out much that he should have said, but the published speech will contain the omitted passages. On the other hand, such passages as were uttered merely to suit the character of the judges will not be published for the benefit of posterity, for fear that they should seem to indicate

the author's deliberate judgement instead of being a mere concession to the needs of the moment. For it is most important that we should know how 56 the judge is disposed to listen, and his face will often (as Cicero¹ reminds us) serve as a guide to the speaker. Consequently we must press the points that we see commend themselves to him, and draw back from those which are ill-received, while our actual language must be so modified that he will find our arguments as intelligible as possible. That this should be necessary is scarcely surprising, when we consider the alterations that are frequently necessary to suit the characters of the different witnesses. He was a shrewd man who, when he 57 asked a rustic witness whether he knew Amphion, and the witness replied that he did not, dropped the aspirate and shortened the second syllable,² whereupon the witness recognised him at once. Such situations, when it is impossible to speak as we write, will sometimes make it necessary to speak in language other than that which we use in writing.

There is another threefold division, whereby, 58 it is held, we may differentiate three styles of speaking, all of them correct. The first is termed the plain³ (or *ισχνόν*), the second grand and forcible (or *ἀδρόν*), and the third either intermediate or florid, the latter being a translation of *ἀνθηρόν*. The nature of these three styles is, 59 broadly speaking, as follows. The first would seem best adapted for instructing, the second for moving, and the third (by whichever name we call it) for charming or, as others would have it, conciliating the audience; for instruction the quality most

needed is acumen, for conciliation gentleness, and for stirring the emotions force. Consequently it is mainly in the plain style that we shall state our facts and advance our proofs, though it should be borne in mind that this style will often be sufficiently full in itself without any assistance whatever from the other two. The intermediate style will have 60 more frequent recourse to metaphor and will make a more attractive use of figures, while it will introduce alluring digressions, will be neat in rhythm and pleasing in its reflexions: its flow, however, will be gentle, like that of a river whose waters are clear, but overshadowed by the green banks on either side. But he whose eloquence is like to some great torrent 61 that rolls down rocks and "disdains a bridge" ¹ and carves out its own banks for itself, will sweep the judge from his feet, struggle as he may, and force him to go whither he bears him. This is the orator that will call the dead to life (as, for example, Cicero calls upon Appius Caecus²); it is in his pages that his native land itself will cry aloud and at times address the orator himself, as it addresses Cicero in the speech delivered against Catiline in the senate. Such an orator will also exalt his style 62 by amplification and rise even to *hyperbole*, as when Cicero³ cries, "What Charybdis was ever so voracious!" or "By the god of truth, even Ocean's self," etc. (I choose these fine passages as being familiar to the student). It is such an one that will bring down the Gods to form part of his audience or even to speak with him, as in the following, "For on you I call, ye hills and groves of Alba, on you, I say, ye fallen altars of the Albans, altars that were once the peers and equals

of the holy places of Rome.”¹ This is he that will inspire anger or pity, and while he speaks the judge will call upon the gods and weep, following him wherever he sweeps him from one emotion to another, and no longer asking merely for instruction. Wherefore if one of these three styles has to be 63 selected to the exclusion of the others, who will hesitate to prefer this style to all others, since it is by far the strongest and the best adapted to the most important cases? For Homer himself assigns 64 to Menelaus² an eloquence, terse and pleasing, exact (for that is what is meant by “making no errors in words”) and devoid of all redundancy, which qualities are virtues of the first type: and he says that from the lips of Nestor³ flowed speech sweeter than honey, than which assuredly we can conceive no greater delight: but when he seeks to express the supreme gift of eloquence possessed by Ulysses⁴ he gives a mighty voice and a vehemence of oratory equal to the snows of winter in the abundance and the vigour of its words. “With him then,” he says, “no mortal 65 will contend, and men shall look upon him as on a god.”⁵ It is this force and impetuosity that Eupolis admires in Pericles, this that Aristophanes⁶ compares to the thunderbolt, this that is the power of true eloquence.

But eloquence cannot be confined even to these 66 three forms of style. For just as the third style is intermediate between the grand and the plain style, so each of these three are separated by interspaces

³ *Il.* i. 249.

⁴ *Il.* iii. 221.

⁵ A blend of *Il.* iii. 223 and *Od.* viii. 173.

⁶ *Ach.* 530. “Then in his wrath Pericles the Olympian lightened and thundered and threw all Greece into confusion.”

which are occupied by intermediate styles compounded of the two which lie on either side. For 67 there are styles fuller or plainer than the plain, and gentler or more vehement than the vehement, while the gentler style itself may either rise to greater force or sink to milder tones. Thus we may discover almost countless species of styles, each differing from the other by some fine shade of difference. We may draw a parallel from the winds. It is generally accepted that there are four blowing from the four quarters of the globe, but we find there are also a large number of winds which lie between these, called by a variety of names, and in certain cases confined to certain districts and river valleys. The 68 same thing may be noted in music. For after assigning five notes to the lyre, musicians fill up the intervals between the strings by a variety of notes, and between these again they interpose yet others, so that the original divisions admit of a number of gradations.

Eloquence has, therefore, a quantity of different 69 aspects, but it is sheer folly to inquire which of these the orator should take as his model, since every species that is in itself correct has its use, and what is commonly called *style of speaking* does not depend on the orator. For he will use all styles, as circumstances may demand, and the choice will be determined not only by the case as a whole, but by the demands of the different portions of the case. For just as he will not speak in the same way when 70 he is defending a client on a capital charge and when he is speaking in a lawsuit concerned with an inheritance, or discussing interdicts and suits taking the form of a wager,¹ or claims in connexion with

loans, so too he will preserve a due distinction between the speeches which he makes in the senate, before the people and in private consultations, while he will also introduce numerous modifications to suit the different persons and circumstances of time and place. Thus in one and the same speech he will use one style for stirring the emotions, and another to conciliate his hearers; it is from different sources that he will derive anger or pity, and the art which he employs in instructing the judge will be other than that which he employs to move him. He will not maintain the same tone throughout his *exordium, statement of fact, arguments, digression and peroration*. He will speak gravely, severely, sharply, with vehemence, energy, fullness, bitterness, or geniality, quietly, simply, flatteringly, gently, sweetly, briefly or wittily; he will not always be like himself, but he will never be unworthy of himself. Thus the purpose for which oratory was above all 72 designed will be secured, that is to say, he will speak with profit and with power to effect his aim, while he will also win the praise not merely of the learned, but of the multitude as well.

They make the gravest mistake who consider that 73 the style which is best adapted to win popularity and applause is a faulty and corrupt style of speaking which revels in license of diction or wantons in childish epigram or swells with stilted bombast or riots in empty commonplace or adorns itself with blossoms of eloquence which will fall to earth if but lightly shaken, or regards extravagance as sublime or raves wildly under the pretext of free speech. I am ready to admit that such qualities 74 please many, and I feel no surprise that this should

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be the case. For any kind of eloquence is pleasing and attractive to the ear, and every effort of the voice inspires a natural pleasure in the soul of man; indeed this is the sole cause of those familiar gatherings in the Forum or on the Old Wall,¹ so that there is small reason for wonder if any pleader is safe to draw a ring of listeners from the crowd. And when 75 any unusually precious phrase strikes the ears of an uneducated audience, whatever its true merits, it wakens their admiration just for the very reason that they feel they could never have produced it themselves. And it deserves their admiration, since even such success is hard to attain. On the other hand, when such displays are compared with their betters, they sink into insignificance and fade out of sight, for they are like wool dyed red that pleases in the absence of purple, but, as Ovid² says, if compared with a cloak of Tyrian dye, pales in the presence of the fairer hue. If, however, we test 76 such corrupt eloquence by the touchstone of a critical taste, as, for example, we test inferior dyes with sulphur, it will lay aside the false brilliance that deceived the eye and fade to a pallor almost too repulsive to describe. Such passages shine only in the absence of the sunlight, just as certain tiny insects seem transformed in the darkness to little flames of fire. Finally, while many approve of things that are bad, no one disapproves of that which is good.

But the true orator will not merely be able to 77 achieve all the feats of which I have spoken with supreme excellence, but with the utmost ease as well. For the sovereign power of eloquence and the voice that awakens well-deserved applause will

be free from the perpetual distress of harassing anxiety which wastes and fevers the orator who painfully corrects himself and pines away over the laborious weighing and piecing together of his words. No, our orator, brilliant, sublime and opulent of speech, is lord and master of all the resources of eloquence, whose affluence surrounds him. For he that has reached the summit has no more weary hills to scale. At first the climber's toil is hard, but the higher he mounts the easier becomes the gradient and the richer the soil. And if by perseverance of study he pass even beyond these gentler slopes, fruits for which none have toiled thrust themselves upon him, and all things spring forth unbidden; and yet if they be not gathered daily, they will wither away. But even such wealth must observe the mean, without which nothing is either praiseworthy or beneficial, while brilliance must be attended by manliness, and imagination by soundness of taste. Thus the works of the orator will be great not extravagant, sublime not bombastic, bold not rash, severe but not gloomy, grave but not slow, rich but not luxuriant, pleasing but not effeminate, grand but not grandiose. It is the same with other qualities: the mean is safest, for the worst of all faults is to fly to extremes. 80

XI. After employing these gifts of eloquence in the courts, in councils, in public assemblies and the debates of the senate, and, in a word, in the performance of all the duties of a good citizen, the orator will bring his activities to a close in a manner worthy of a blameless life spent in the pursuit of the noblest of professions. And he will do this, not because he can ever have enough of doing good,

or because one endowed with intellect and talents such as his would not be justified in praying that such glorious labours may be prolonged to their utmost span, but for this reason, that it is his duty to look to the future, for fear that his work may be less effective than it has been in the past. For the 2 orator depends not merely on his knowledge, which increases with the years, but on his voice, lungs and powers of endurance. And if these be broken or impaired by age or health, he must beware that he does not fall short in something of his high reputation as a master of oratory, that fatigue does not interrupt his eloquence, that he is not brought to realise that some of his words are inaudible, or to mourn that he is not what once he was. Domitius 3 Afer was by far the greatest of all the orators whom it has been my good fortune to know, and I saw him, when far advanced in years, daily losing something of that authority which his merits had won for him; he whose supremacy in the courts had once been universally acknowledged, now pleaded amid the unworthy laughter of some, and the silent blushes of others, giving occasion to the malicious saying that he had rather "faint than finish."¹ And 4 yet even then, whatever his deficiencies, he spoke not badly, but merely less well.

Therefore before ever he fall a prey to the ambush where time lies in wait for him, the orator should sound the retreat and seek harbour while his ship is yet intact. For the fruits of his studies will not be lessened by retirement. Either he will bequeath the history of his own times for the delight of after ages, or will interpret the law to those who seek his counsels, as Lucius Crassus proposes

BOOK XII. xi. 4-8

to do in the *de Oratore*¹ of Cicero, or compose some treatise on the art of oratory, or give worthy utterance to the sublimest ideals of conduct. His house ⁵ will, as in the days of old, be thronged by all the best of the rising generation, who will seek to learn from him as from an oracle how they may find the path to true eloquence. And he as their father in the art will mould them to all excellence, and like some old pilot will teach them of the shores whereby their ships must sail, of the harbours where they may shelter, and the signs of the weather, and will expound to them what they shall do when the breeze is fair or the tempest blows. Whereto he will be inclined not only by the common duty of humanity, but by a certain passion for the task that once was his, since no man desires that the art wherein he was once supreme should suffer decay or diminution. And what can be more honourable ⁶ than to teach that which you know surpassing well? It was for this that the elder Caelius brought his son to Cicero, as the latter² tells us, and it was with this intent that the same great orator took upon himself the duties of instructor, and trained Pansa, Hirtius and Dolabella by declaiming daily before them or hearing them declaim. And I know not whether ⁷ we should not deem it the happiest moment in an orator's life, when he has retired from the public gaze, the consecrated priest of eloquence, free from envy and far from strife, when he has set his glory on a pinnacle beyond the reach of detraction, enjoys, while still living, that veneration which most men win but after death, and sees how great shall be his renown amid generations yet unborn.

I can say with a good conscience that, as far as ⁸

my poor powers have permitted, I have published frankly and disinterestedly, for the benefit of such as might wish to learn, all that my previous knowledge and the researches made for the purpose of this work might supply. And to have taught what he knows is satisfaction enough for any good man. I fear, however, that I may be regarded as setting 9 too lofty an ideal for the orator by insisting that he should be a good man skilled in speaking, or as imposing too many subjects of study on the learner. For in addition to the many branches of knowledge which have to be studied in boyhood and the traditional rules of eloquence, I have enjoined the study of morals and of civil law, so that I am afraid that even those who have regarded these things as essential to my theme, may be appalled at the delay which they impose and abandon all hope of achievement before they have put my precepts to the test. I would ask them to consider how great are the 10 powers of the mind of man and how astonishing its capacity for carrying its desires into execution: for has not man succeeded in crossing the high seas, in learning the number and the courses of the stars, and almost measuring the universe itself, all of them accomplishments of less importance than oratory, but of far greater difficulty? And then let them reflect on the greatness of their aims and on the fact that no labour should be too huge for those that are beckoned by the hope of such reward. If they can 11 only rise to the height of this conception, they will find it easier to enter on this portion of their task, and will cease to regard the road as impassable or even hard. For the first and greatest of the aims we set before us, namely that we shall be good

men, depends for its achievement mainly on the will to succeed: and he that truly and sincerely forms such resolve, will easily acquire those forms of knowledge that teach the way to virtue. For 12 the precepts that are enjoined upon us are not so complex or so numerous that they may be acquired by little more than a few years' study. It is repugnance to learn that makes such labour long. For if you will only believe it, you will quickly learn the principles that shall lead you to a life of virtue and happiness. For nature brought us into the world that we might attain to all excellence of mind, and so easy is it for those to learn who seek for better things, that he who directs his gaze aright will rather marvel that the bad should be so many. For 13 as water is the natural element of fish, dry land for creatures of the earth and the circumambient atmosphere for winged things, even so it should be easier to live according to nature than counter to her will. As regards other accomplishments, there are plenty of years available for their acquisition, even though we measure the life of man not, by the span of age, but by the period of youth. For in every case order and method and a sense of proportion will shorten our labour. But the chief fault 14 lies with our teachers, in that they love to keep back the pupils they have managed to lay their hands on, partly from the desire to draw their miserable fees for as long as possible, partly out of ostentation, to enhance the difficulty of acquiring the knowledge which they promise to impart, and to some extent owing to their ignorance or carelessness in teaching. The next most serious fault lies in ourselves, who think it better to linger over what we have learned

than to learn what we do not yet know. For ex- 15
 ample, to restrict my remarks mainly to the study
 of rhetoric, what is the use of spending so many
 years, after the fashion now so prevalent (for I will
 say nothing of those who spend almost their whole
 lives), in declaiming in the schools and devoting so
 much labour to the treatment of fictitious themes,
 when it would be possible with but slight expenditure
 of time to form some idea of what the true conflicts
 are in which the orator must engage, and of the
 laws of speaking which he ought to follow? In 16
 saying this, I do not for a moment mean to suggest
 that we should ever omit to exercise ourselves in
 speaking. I merely urge that we should not grow old
 over one special form of exercise. We have been in a
 position to acquire varied knowledge, to familiarise
 ourselves with the principles that should guide our
 life, and to try our strength in the courts, while we
 were still attending the schools. The theory of speak-
 ing is of such a nature that it does not demand
 many years for its acquisition. For any one of the
 various branches of knowledge which I have men-
 tioned will, as a rule, be found to be comprised in
 a few volumes, a fact which shows that instruction
 does not require an indefinite amount of time to be
 devoted to it. The rest depends entirely on practice,
 which at once develops our powers and maintains
 them, once developed. Knowledge increases day 17
 by day, and yet how many books is it absolutely
 necessary to read in our search for its attainment, for
 examples of facts from the historians or of eloquence
 from the orators, or, again, for the opinions of the
 philosophers and the lawyers, that is to say, if we
 are content to read merely what is useful without

attempting the impossible task of reading everything? But it is ourselves that make the time for study short: for how little time we allot to it! Some hours are passed in the futile labour of ceremonial calls, others in idle chatter, others in staring at the shows of the theatre, and others again in feasting. To this add all the various forms of amusement, the insane attention devoted to the cultivation of the body, journeys abroad, visits to the country, anxious calculation of loss and gain, the allurements of lust, wine-bibbing and those remaining hours which are all too few to gratify our souls on fire with passion for every kind of pleasure. If all this time were spent on study, life would seem long enough and there would be plenty of time for learning, even though we should take the hours of daylight only into our account, without asking any assistance from the night, of which no little space is superfluous even for the heaviest sleeper. As it is, we count not the years which we have given to study, but the years we have lived. And indeed even although geometricians, musicians and grammarians, together with the professors of every other branch of knowledge, spend all their lives, however long, in the study of one single science, it does not therefore follow that we require several lives more if we are to learn more. For they do not spend all their days even to old age in learning these things, but being content to have learned these things and nothing more, exhaust their length of years not in acquiring, but in imparting knowledge.

However, to say nothing of Homer, in whom we may find either the perfect achievements, or at any rate clear signs of the knowledge of every art,

and to pass by Hippias of Elis, who not merely boasted his knowledge of the liberal arts, but wore a robe, a ring and shoes, all of which he had made with his own hands, and had trained himself to be independent of external assistance, we accept the universal tradition of Greece to the effect that Gorgias, triumphant over all the countless ills incident to extreme old age, would bid his hearers propound any questions they pleased for him to answer. Again in what branch of knowledge 22 worthy of literary expression was Plato deficient? How many generations' study did Aristotle require to embrace not merely the whole range of philosophical and rhetorical knowledge, but to investigate the nature of every beast and plant. And yet they had to discover all these things which we only have to learn. Antiquity has given us all these teachers and all these patterns for our imitation, that there might be no greater happiness conceivable than to be born in this age above all others, since all previous ages have toiled that we might reap the fruit of their wisdom. Marcus Cato was at once a 23 great general, a philosopher, orator, historian, and an expert both in law and agriculture, and despite his military labours abroad and the distractions of political struggles at home, and despite the rudeness of the age in which he lived, he none the less learned Greek, when far advanced in years, that he might prove to mankind that even old men are capable of learning that on which they have set 24 their hearts. How wide, almost universal, was the knowledge that Varro communicated to the world! What of all that goes to make up the equipment of an orator was lacking to Cicero? Why should I say

more, since even Cornelius Celsus, a man of very ordinary ability, not merely wrote about rhetoric in all its departments, but left treatises on the art of war, agriculture and medicine as well. Indeed the high ambition revealed by his design gives him the right to ask us to believe that he was acquainted with all these subjects.

But, it will be urged, to carry out such a task is 25 difficult and has never been accomplished. To which I reply that sufficient encouragement for study may be found in the fact, firstly, that nature does not forbid such achievement and it does not follow that, because a thing never has been done, it therefore never can be done, and secondly, that all great achievements have required time for their first accomplishment. Poetry has risen to the heights 26 of glory, thanks to the efforts of poets so far apart as Homer and Virgil, and oratory owes its position to the genius of Demosthenes and Cicero. Finally, whatever is best in its own sphere must at some previous time have been non-existent. But even if a man despair of reaching supreme excellence (and why should he despair, if he have talents, health, capacity and teachers to aid him?), it is none the less a fine achievement, as Cicero¹ says, to win the rank of second or even third. For even if a soldier 27 cannot achieve the glory of Achilles in war, he will not despise fame such as fell to the lot of Ajax and Diomedes, while those who cannot be Homers may be content to reach the level of Tyrtæus. Nay, if men had been obsessed by the conviction that it was impossible to surpass the man who had so far shown himself best, those whom we now regard as best would never have reached such distinction, Lucretius

BOOK XII. XI. 27-30

and Macer would never have been succeeded by Virgil, nor Crassus and Hortensius by Cicero, nor they in their turn by those who flourished after them. But even though we cannot hope to surpass 28 the great, it is still a high honour to follow in their footsteps. Did Pollio and Messala, who began to plead when Cicero held the citadel of eloquence, fail to obtain sufficient honour in their lifetime or to hand down a fair name to posterity? The arts which have been developed to the highest pitch of excellence would deserve but ill of mankind if that which was best had also been the last of its line. Add to this the further consideration that 29 even moderate eloquence is often productive of great results and, if such studies are to be measured solely by their utility, is almost equal to the perfect eloquence for which we seek. Nor would it be difficult to produce either ancient or recent examples to show that there is no other source from which men have reaped such a harvest of wealth, honour, friendship and glory, both present and to come. But it would be a disgrace to learning to follow the fashion of those who say that they pursue not virtue, but only the pleasure derived from virtue, and to demand this meaner recompense from the noblest of all arts, whose practice and even whose possession is ample reward for all our labours. Wherefore let us seek with all 30 our hearts that true majesty of oratory, the fairest gift of god to man, without which all things are stricken dumb and robbed alike of present glory and the immortal record of posterity; and let us press forward to whatsoever is best, since, if we do this, we shall either reach the summit or at least see many others far beneath us.

BOOK XII. xi. 31

Such, Marcellus Victorius, were the views by 31
the expression of which it seemed to me that I
might, as far as in me lay, help to advance the
teaching of oratory. If the knowledge of these
principles proves to be of small practical utility to
the young student, it should at least produce what
I value more,—the will to do well.

THE INSTITUTIO ORATORIA OF
QUINTILIAN

WITH AN ENGLISH TRANSLATION BY

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IN FOUR VOLUMES

IV

Quintilianus



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MCMXXII

M. FABII QUINTILIANI INSTITUTIONIS ORATORIAE

LIBER X

I. SED haec eloquendi praecepta, sicut cogitationi sunt necessaria, ita non satis ad vim dicendi valent, nisi illis firma quaedam facilitas, quae apud Graecos *ἔξις* nominatur, accesserit: ad quam scribendo plus an legendo an dicendo conferatur, solere quaeri scio. Quod esset diligentius nobis examinandum, si quali-
2 bet earum rerum possemus una esse contenti. Verum ita sunt inter se conexa et indiscreta omnia ut, si quid ex his defuerit, frustra sit in ceteris laboratum. Nam neque solida atque robusta fuerit unquam eloquentia nisi multo stilo vires acceperit, et citra lectionis exemplum labor ille carens rectore fluitabit; et qui¹ sciet quae quoque sint modo dicenda, nisi tamen in procinctu paratamque ad omnes casus habuerit eloquentiam, velut clausis thesauris
3 incubabit. Non autem ut quidquid praecipue neces-

¹ fluitabit et qui, *Halm*: fluvit autem qui, *G*.

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sarium est, sic ad efficiendum oratorem maximi protinus erit momenti. Nam certe, cum sit in eloquendo positum oratoris officium, dicere ante omnia est, atque hinc initium eius artis fuisse manifestum est; proximam deinde imitationem, novissimam scribendi quoque diligentiam. Sed ut perveniri ad summa nisi ex principiis non potest, ita procedente iam opere etiam¹ minima incipiunt esse quae prima sunt. Verum nos non, quomodo instituendus orator, hoc loco dicimus; nam id quidem aut satis aut certe uti potuimus dictum est; sed athleta, qui omnes iam perdidicerit a praeceptore numeros, quo genere exercitationis ad certamina praeparandus sit. Igitur eum, qui res invenire et disponere sciet, verba quoque et eligendi et collocandi rationem perceperit, instruamus, qua ratione quod didicerit² facere quam optime, quam facillime possit.

5 Num ergo dubium est, quin ei velut opes sint quaedam parandae, quibus uti, ubicunque desideratum erit, possit? Eae constant copia rerum ac 6 verborum. Sed res propriae sunt cuiusque causae aut paucis communes, verba in universas paranda; quae si in rebus singulis essent singula, minorem

¹ etiam, *Osann*: iam, *MSS.*

² qua ratione, *ed. Col.* 1527: qua in oratione, *MSS.* didicerit, *Zumpt*: dicere, *G.*

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curam postularent, nam cuncta sese cum ipsis protinus rebus offerrent. Sed cum sint aliis alia aut magis propria aut magis ornata aut plus efficientia aut melius sonantia, debent esse non solum nota omnia sed in promptu atque, ut ita dicam, in conspectu, ut, cum se iudicio dicentis ostenderint, facilis
7 ex his optimorum sit electio. Et quae idem significarent solitos scio ediscere, quo facilius et occurreret unum ex pluribus et, cum essent usi aliquo, si breve intra spatium rursus desideraretur, effugiendae repetitionis gratia sumerent aliud quod idem intelligi posset. Quod cum est puerile et cuiusdam infelices operae tum etiam utile parum; turbam tantum modo¹ congregat, ex qua sine discrimine occupet proximum quodque.

8 Nobis autem copia cum iudicio paranda est vim orandi non circulatoriam volubilitatem spectantibus. Id autem consequemur optima legendo atque audiendo; non enim solum nomina ipsa rerum cognoscemus hac cura, sed quod quoque loco sit

9 aptissimum. Omnibus enim fere verbis² praeter pauca, quae sunt parum verecunda, in oratione locus est. Nam scriptores quidem iamborum veterisque comoediae etiam in illis saepe laudantur, sed nobis

¹ turbam tantum modo, *Halm*: turbañtūmodo, *G*: turbam enim tantum, *vulgo*.

² fere verbis, *cod Harl.* 4995: ferebis vel, *G*.

¹ See §§ 59 and 96.

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nostrum opus intueri sat est. Omnia verba, exceptis de quibus dixi, sunt alicubi optima; nam et humilibus interim et vulgaribus est opus, et quae nitidiore in parte videntur sordida, ubi res poscit, 10 proprie dicuntur. Haec ut sciamus atque eorum non significationem modo sed formas etiam mensurasque norimus, ut, ubicunque erunt posita, convenient, nisi multa lectione atque auditione assequi nullo modo possumus, cum omnem sermonem auribus primum accipiamus. Propter quod infantes a mutis 11 nutricibus iussu regum in solitudine educati, etiamsi verba quaedam emisisse traduntur, tamen loquendi facultate caruerunt. Sunt autem alia huius naturae, ut idem pluribus vocibus declarent, ita ut nihil significationis, quo potius utaris, intersit, ut *ensis* et *gladius*; alia vero,¹ etiamsi propria rerum aliquarum sint nomina, τροπικῶς quasi tamen² ad eundem 12 intellectum feruntur, ut *ferrum* et *mucro*. Nam per abusionem *sicarios* etiam omnes vocamus, qui caedendi telo quocunque commiserint. Alia circuitu verborum plurium ostendimus, quale est *Et pressi copia lactis*.

¹ alia vero, *Frotscher*: aliave, *G*.

² quasi tamen, *edd.*: quare tam, *G*: quare tamen, *later MSS.*

¹ See Herodot. ii. 2. The children were alleged to have cried "bekos," Phrygian for bread.

² or *catachresis*. See VIII. ii. 5 and vi. 34.

³ *Ecl.* i. 81.

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Plurima vero mutatione figuramus: Scio *Non ignoro*
et *Non me fugit* et *Non me praeterit* et *Quis nescit?*
13 et *Nemini dubium est*. Sed etiam ex proximo mutuari
libet. Nam et *intelligo* et *sentio* et *video* saepe idem
valent quod *scio*. Quorum nobis ubertatem ac divitias
dabit lectio, ut non solum quomodo occurrent sed
14 etiam quomodo oportet utamur. Non semper enim
haec inter se idem faciunt; nec sicut de intellectu
animi recte dixerim *video* ita de visu oculorum *in-*
telligo, nec ut *mucro* gladium sic mucronem *gladius*
15 ostendit. Sed ut copia verborum sic paratur, ita
non verborum tantum gratia legendum vel audiendum
est. Nam omnium, quaecunque docemus, hoc¹ sunt
exempla potentiora etiam ipsis quae traduntur arti-
bus, cum eo qui discit perductus est, ut intelligere
ea sine demonstrante et sequi iam suis viribus possit,
quia, quae doctor praecepit, orator ostendit.

16 Alia vero audientes, alia legentes magis adiuvant.
Excitat qui dicit spiritu ipso, nec imagine et ambitu

¹ hoc, *Regius*: haec, *MSS.*

¹ See I. viii. 16; IX. i. 11.

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rerum sed rebus incendit. Vivunt omnia enim et moventur, excipimusque nova illa velut nascentia cum favore ac sollicitudine. Nec fortuna modo iudicii sed etiam ipsorum qui orant periculo adficimur.

- 17 Praeter haec vox, actio decora, accommodata,¹ ut quisque locus postulabit, pronuntiandi vel potentissima in dicendo ratio et, ut semel dicam, pariter omnia docent. In lectione certius iudicium, quod audienti frequenter aut suus cuique favor aut ille
- 18 laudantium clamor extorquet. Pudet enim dissentire, et velut tacita quadam verecundia inhibemur plus nobis credere, cum interim et vitiosa pluribus placent, et a conrogatis laudantur etiam quae non placent.
- 19 Sed e contrario quoque accidit, ut optime dictis gratiam prava iudicia non referant. Lectio libera est nec actionis impetu transcurrit; sed repetere saepius licet, sive dubites sive memoriae penitus adfigere velis. Repetamus autem et retractemus,² et ut cibos mansos ac prope liquefactos demittimus, quo facilius digerantur, ita lectio non cruda, sed multa iteratione³ mollita et velut confecta, memoriae imitationique tradatur.

¹ accommodata ut, *ed. Col.* 1527: commoda aut, *G*: commodata ut, *Halm.*

² retractemus, *Spalding*: tractemus, *G*.

³ iteratione, *some late MSS.*: altercatione, *G and others.*

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- 20 Ac diu non nisi optimus quisque et qui credentem sibi minime fallat legendus est, sed diligenter ac paene ad scribendi sollicitudinem; nec per partes modo scrutanda omnia, sed perlectus liber utique ex integro resumendus, praecipueque oratio, cuius virtutes frequenter ex industria quoque occultantur.
- 21 Saepe enim praeparat, dissimulat, insidiatur orator, eaque in prima parte actionis dicit, quae sunt in summa profutura. Itaque suo loco minus placent, adhuc nobis quare dicta sint ignorantibus, ideoque erunt
- 22 cognitae omnibus repetenda. Illud vero utilissimum nosse eas causas, quarum orationes in manus sumpserimus et, quotiens continget, utrinque habitas legere actiones: ut Demosthenis atque Aeschinis inter se contrarias, et Servii Sulpicii atque Messalae, quorum alter pro Aufidia, contra dixit alter, et Pollionis et Cassii reo Asprenate aliasque plurimas.
- 23 Quinetiam si minus pares videbuntur aliquae, tamen ad cognoscendam litium quaestionem recte requirentur, ut contra Ciceronis orationes Tiberonis in Ligarium et Hortensii pro Verre. Quinetiam, easdem causas ut quisque egerit utile¹ erit scire.

¹ utile, *edd. Ald. and Col.*: utrisque, *G and most MSS.*

¹ See iv. ii. 106 and vi. i. 20.

² See § 113.

³ See § 116.

⁴ C. Nonius Asprenas, a friend of Augustus, accused by Cassius and defended by Pollio on a charge of poisoning.

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Nam de domo Ciceronis dixit Calidius, et pro Milone orationem Brutus exercitationis gratia scripsit, etiamsi egisse eum Cornelius Celsus falso existimat; et Pollio et Messala defenderunt eosdem, et nobis pueris insignes pro Voluseno Catulo Domitii Afri, Crispi Passieni, Decimi Laelii orationes ferebantur.

- 24 Neque id statim legenti persuasum sit omnia quae optimi auctores dixerint utique esse perfecta. Nam et labuntur aliquando et oneri cedunt et indulgent ingeniorum suorum voluptati, nec semper intendunt animum; nonnunquam fatigantur, cum Ciceroni dormire interim Demosthenes, Horatio
- 25 vero etiam Homerus ipse videatur. Summi enim sunt, homines tamen, acciditque his qui, quidquid apud illos reppererunt, dicendi legem putant, ut deteriora imitentur, (id enim est facilius) ac se abunde similes putent, si vitia magnorum consequan-
- 26 tur. Modesto tamen et circumspecto iudicio de tantis viris pronuntiandum est, ne, quod plerisque accidit, damnent quae non intelligunt. Ac si necesse est in alteram errare partem: omnia eorum legentibus placere quam multa displicere maluerim.
- 27 Plurimum dicit oratori conferre Theophrastus lectionem poetarum, multique eius iudicium sequuntur; neque immerito. Namque ab his in rebus

¹ Probably before some other tribunal. Cicero's *de Domo Sua* was delivered before the *pontifices*.

² *cp.* III. vi. 93. Cornelius Celsus was an encyclopaedic writer of the early empire, whose treatise on medicine has survived.

³ Liburnia. See IX. ii. 34.

⁴ See § 118.

⁵ Stepfather of Nero. See VI. i. 50.

⁶ Probably the Laelius Balbus of Tac. *Ann.* VI. 47, 48.

⁷ In a lost letter: *cp.* Plut. *Cic.* 24.

⁸ *A. P.* 359.

⁹ In one of his lost rhetorical treatises.

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- spiritus et in verbis sublimitas et in adfectibus motus omnis et in personis decor petitur, praecipueque velut attrita cotidiano actu forensi ingenia optime rerum talium blanditia reparantur. Ideoque
28 in hac lectione Cicero requiescendum putat. Meminerimus tamen, non per omnia poetas esse oratori sequendos nec libertate verborum nec licentia figurarum; genus ostentationi comparatum et praeter id, quod solam petit voluptatem eamque etiam fingendo non falsa modo sed etiam quaedam in-
29 credibilia sectatur, patrocínio quoque aliquo iuvari, quod alligata ad certam pedum necessitatem non semper uti propriis possit, sed depulsa recta via necessario ad eloquendi quaedam deverticula confugiat, nec mutare quaedam modo verba, sed extendere, corripere, convertere, dividere cogatur; nos vero armatos stare in acie et summis de rebus
30 decernere et ad victoriam niti. Neque ergo arma squalere situ ac rubigine velim, sed fulgorem inesse qui terreat, qualis est ferri, quo mens simul visusque praestringitur, non qualis auri argentique, imbellis et potius habenti periculosus.
- 31 Historia quoque alere oratorem quodam uberi¹ iucundoque suco potest; verum et ipsa sic est

¹ uberi, *Spalding*: moveri, *G*.

¹ *Pro Arch.* 12.

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legenda, ut sciamus, plerasque eius virtutes oratori esse vitandas. Est enim proxima poetis et quodammodo carmen solutum, et scribitur ad narrandum non ad probandum, totumque opus non ad actum rei pugnamque praesentem, sed ad memoriam posteritatis et ingenii famam componitur; ideoque et verbis remotioribus et liberioribus figuris narrandi taedium
 32 evitat. Itaque, ut dixi, neque illa Sallustiana brevitās, qua nihil apud aures vacuas atque eruditās potest esse perfectius, apud occupatū variis cogitationibus iudicem et saepius ineruditum captanda nobis est; neque illa Livii lactea ubertas satis docebit eum, qui
 33 non speciem expositionis, sed fidem quaerit. Adde quod¹ M. Tullius ne Thucydidem quidem aut Xenophontem utiles oratori putat, quanquam illum *bellicum canere*, huius ore *Musas esse locutas* existimet. Licet tamen nobis in digressionibus uti vel historico nonnunquam nitore, dum in his, de quibus erit quaestio, meminerimus, non athletarum toris, sed militum lacertis opus² esse; nec versicolorem illam, qua Demetrius Phalereus dicebatur uti, vestem bene
 34 ad forensem pulverem facere. Est et alius ex

¹ adde quod, *Regius* : audeo quia, *G.*

² opus, *added by ed. Col. 1527.*

¹ *iv. ii. 45.*

³ *cp. § 80.*

² *Or. 30 sq.*

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historiis usus et is quidem maximus, sed non ad praesentem pertinens locum, ex cognitione rerum exemplorumque, quibus inprimis instructus esse debet orator, ne omnia testimonia expectet a litigatore, sed pleraque ex vetustate diligenter sibi cognita sumat, hoc potentiora, quod ea sola criminibus odii et gratiae vacant.

- 35 A philosophorum vero lectione ut essent multa nobis petenda, vitio factum est oratorum, qui quidem illis optima sui operis parte cesserunt. Nam et de iustis, honestis, utilibus, iisque quae sint istis contraria, et de rebus divinis maxime dicunt et argumentantur acriter Stoici,¹ et altercationibus atque interrogationibus oratorem futurum optime Socratici
36 praeparant. Sed his quoque adhibendum est simile iudicium, ut etiam cum in rebus versemur iisdem, non tamen eandem esse condicionem sciamus litium ac disputationum, fori et auditorii, praeceptorum et periculorum.
- 37 Credo exacturos plerosque, cum tantum esse utilitatis in legendo iudicemus, ut id quoque adiungamus operi, qui sint legendi,² quae in auctore

¹ Stoici *added by Meister.*

² legendi *inserted by ed. Col. 1527.*

¹ *cp. I Pref. 11.*

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quoque praecipua virtus. Sed persequi singulos
 38 infiniti fuerit operis. Quippe cum in Bruto M.
 Tullius tot milibus versuum de Romanis tantum
 oratoribus loquatur et tamen de omnibus aetatis suae,
 quibuscum vivebat, exceptis Caesare atque Marcello,
 silentium egerit, quis erit modus, si et illos et qui
 39 postea fuerunt et Graecos omnes? ¹ Fuit igitur
 brevis illa tutissima, quae est apud Livium in
 epistola ad filium scripta, legendos Demosthenem
 atque Ciceronem, tum ita, ut quisque esset De-
 40 mostheni et Ciceroni simillimus. Non est tamen
 dissimulanda nostri quoque iudicii summa. Paucos
 enim vel potius vix ullum ex his qui vetustatem
 pertulerunt existimo posse reperiri, quin iudicium
 adhibentibus adlaturus sit utilitatis aliquid, cum se
 Cicero ab illis quoque vetustissimis auctoribus, in-
 geniosis quidem, sed arte carentibus, plurimum
 41 fateatur adiutum. Nec multo aliud de novis sentio.
 Quotus enim quisque inveniri tam demens potest,
 qui ne minima quidem alicuius certe fiducia partis
 memoriam posteritatis speraverit? Qui si quis est,
 intra primos statim versus deprehendetur et citius
 nos dimittet, quam ut eius nobis magno temporis
 42 detrimento constet experimentum. Sed non quid-
 quid ad aliquam partem scientiae pertinet, protinus
 ad phrasin. de qua loquimur, accommodatum.

Verum antequam de singulis, pauca in universum

¹ Graecos is followed in the MSS. by et philosophos, which is expurged by Schmidt.

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43 de varietate opinionum dicenda sunt. Nam quidam solos veteres legendos putant neque in ullis aliis esse naturalem eloquentiam et robur viris dignum arbitrantur; alios recens haec lascivia deliciaeque et omnia ad voluptatem multitudinis imperitae com-
 44 posita delectant. Ipsorum etiam qui rectum dicendi genus sequi volunt, alii pressa demum et tenuia et quae, minimum ab usu cotidiano recedant, sana et vere Attica putant; quosdam elatior ingenii vis et magis concitata et plena spiritus capit; sunt etiam lenis et nitidi et compositi generis non pauci amatores. De qua differentia disseram diligentius, cum de genere dicendi quaerendum erit. Interim summam, quid et ¹ a qua lectione petere possint, qui confirmare facultatem dicendi volent, attingam. Paucos enim qui ² sunt eminentissimi excerptare in
 45 animo est. Facile est autem studiosis, qui sint his simillimi, iudicare; ne quisquam queratur omissos forte quos ipse valde probet. Fateor enim plures ³ legendos esse quam qui a me nominabuntur. Sed nunc genera ipsa lectionum, quae praecipue convenire intendentibus ut oratores fiant, existimem, persequar.

46 Igitur, ut Aratus ab Iove incipiendum putat, ita nos

¹ summam quid et a qua, *vulgo*: sumat et a qua, *G* (quia et a qua 2nd hand).

² qui added by ed. *Col.* 1527.

³ plures, *vulgo*: plurimis, *G*.

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nte coepturi ab Homero videmur. Hic enim, quem-
admodum ex Oceano dicit ipse omnium¹ annium
fontiumque cursus initium capere, omnibus eloquen-
tia² partibus exemplum et ortum dedit. Hunc nemo
in magnis rebus sublimitate, in parvis proprietate
superaverit. Idem laetus ac pressus, iucundus et
gravis, tum copia tum brevitate mirabilis, nec poetica
47 modo sed oratoria virtute eminentissimus. Nam ut
de laudibus, exhortationibus, consolationibus taceam,
nonne vel nonus liber, quo missa ad Achillem legatio
continetur, vel in primo inter duces illa contentio vel
dictae in secundo sententiae omnes litium ac consili-
48 orum explicant artes? Affectus quidem vel illos
mites vel hos concitados, nemo erit tam indoctus, qui
non in sua potestate hunc auctorem habuisse fateatur.
Age vero, non utriusque operis sui ingressu in paucis-
simis versibus legem prooemiorum non dico servavit
sed constituit? Nam benevolum auditorem invocatione
dearum, quas praesidere vatibus creditum est, et
intentum proposita rerum magnitudine et docilem
49 summa celeriter comprehensa facit. Narrare vero
quis brevius quam qui mortem nuntiat Patrocli, quis
significantius potest quam qui Curetum Aetolorumque
proelium exponit? Iam similitudines, amplificationes,

¹ omnium added by Osann.

¹ Arat. *Phaen.* 1.

² *Il.* xxi. 196.

³ Antilochus, *Il.* xviii. 18.

⁴ Phoenix, *Il.* ix. 529.

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exempla, digressus, signa rerum et argumenta ceteraque genera¹ probandi ac refutandi sunt ita multa, ut etiam qui de artibus scripserunt plurimi harum rerum
 50 testimonium ab hoc poeta petant. Nam epilogus quidem quis unquam poterit illis Priami rogantis Achillem precibus aequari? Quid? [in verbis, sentiis, figuris, dispositione totius operis nonne humani ingenii modum excedit?] ut magni sit virtutes eius non aemulatione, quod fieri non potest, sed
 51 intellectu sequi. Verum hic omnes sine dubio et in omni genere eloquentiae procul a se reliquit, epicos tamen praecipue, videlicet quia clarissima² in materia
 52 simili comparatio est. [Raro assurgit Hesiodus] magnaue pars eius in nominibus est occupata; [tamen utiles circa praecepta sententiae levitasque verborum et compositionis probabilis, daturque ei
 53 palma in illo medio genere dicendi.] Contra in Antimacho vis et gravitas et minime vulgare eloquendi genus habet laudem. Sed quamvis ei secundas fere grammaticorum consensus deferat, et adfectibus et iucunditate et dispositione et omnino arte deficitur, ut plane manifesto appareat, quanto
 54 sit aliud proximum esse aliud secundum.³ Panyasin

¹ genera, *Caesar*: quae, *G.*

² clarissima, *most MSS.*: durissima, *G.*

³ secundum, *various late MSS. omitted by G.*

¹ *Il.* xxiv. 486 sqq.

² Especially the *Theogony*.

³ Antimachus of Colophon (*flor. circ.* 405 B.C.), author of a *Thebaid*.

⁴ Uncle of Herodotus, author of a *Heracleia*.

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ex utroque mixtum putant in eloquendo neutriusque aequare virtutes, alterum tamen ab eo materia alterum disponendi ratione superari. Apollonius in ordinem a grammaticis datum non venit, quia Aristarchus atque Aristophanes, poetarum iudices, neminem sui temporis in numerum redegerunt; non tamen contemnendum reddidit opus aequali quadam
 55 mediocritate. Arati materia motu caret, ut in qua nulla varietas, nullus adfectus, nulla persona, nulla cuiusquam sit oratio; sufficit tamen operi, cui se parem credidit. Admirabilis in suo genere Theocritus, sed musa illa rustica et pastoralis non forum
 56 modo, verum ipsam etiam urbem reformidat. Audire videor undique congerentes nomina plurimorum poetarum. Quid? Herculis acta non bene Pisandros? Nicandrum frustra secuti Macer atque Vergilius? Quid? Euphorionem transibimus? quem nisi probasset Vergilius, idem nunquam certe *conditorum Chalcidico versu carminum* fecisset in Bucolicis mentionem. Quid? Horatius frustra Tyrtaeum Homero
 57 subiungit? Nec sane quisquam est tam procul a cognitione eorum remotus, ut non indicem certe ex

¹ Apollonius of Rhodes, author of the *Argonautica*. The list to which reference is made consisted of the four poets just mentioned, with the addition of Pisandros, for whom see § 56.

² Aristophanes of Byzantium.

³ A Rhodian poet of the seventh century B.C.

⁴ Nicander of Colophon (second century B.C.), author of didactic poems, *Theriaca* and *Alexipharmaca* and *Metamorphoses* (*ἑτεροιοῦμενα*). Virgil imitated him in the *Georgics*, Aemilius Macer, the friend of Ovid, in his *Theriaca*.

⁵ Euphorion of Chalcis (220 B.C.) wrote elaborate short epics. See *Ecl.* x. 50. The words are, however, put into the mouth of Gallus with reference to his own imitations of Euphorion.

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bibliotheca sumptum transferre in libros suos possit.
 Nec ignoro igitur quos transeo nec utique damno, ut
 58 qui dixerim esse in omnibus utilitatis aliquid. Sed
 ad illos iam perfectis constitutisque viribus revertemur;
 quod in cenis grandibus saepe facimus ut, cum optimis
 satiati sumus, varietas tamen nobis ex vilioribus grata sit.
 Tunc et elegiam vacabit in manus sumere, cuius princeps habetur Callimachus, secundas
 59 confessione plurimorum Philetas occupavit. Sed
 dum adsequamur¹ illam firmam, ut dixi, facilitatem,
 optimis adsuescendum est et multa magis quam multorum
 lectione formanda mens et ducendus color. Itaque ex tribus
 receptis Aristarchi iudicio scriptoribus iamborum ad
 60 ἔτιν maxime pertinebit unus Archilochus. Summa in hoc vis
 elocutionis, cum validae breves vibrantesque sententiae,
 plurimum sanguinis atque nervorum, adeo ut videatur quibusdam,
 quod quoquam minor est, materiae esse non ingenii
 61 vitium. Novem vero Lyricorum longe Pindarus princeps
 spiritus magnificentia, sententiis, figuris, beatissima rerum
 verborumque copia et velut quodam eloquentiae flumine;
 propter quae Horatius eum

¹ adsequamur, *Halm*: adsequimur, *G* and most *MSS.*: adsequatur, a few late *MSS.*

² § 45.

³ Philetas of Cos (290 B.C.).

⁴ x. i. 1.

⁵ i.e. invective. The other two writers are Simonides of Amorgos and Hipponax of Ephesus. Archilochus (fl. 686 B.C.).

⁶ The five not mentioned here are Alcman, Sappho, Ibycus, Anacreon and Bacchylides.

⁷ *Od.* iv. ii. 1.

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- 62 merito credidit nemini imitabilem. { Stesichorus quam sit ingenio validus, materiae quoque ostendunt, maxima bella et clarissimos canentem duces et epici carminis onera lyra sustinentem. Reddit enim personis in agendo simul loquendoque debitam dignitatem, ac si tenuisset modum, videtur aemulari proximus Homerum potuisse; sed redundat atque effunditur, quod ut est reprehendendum, ita copiae
- 63 vitium est. Alcaeus in parte operis *aureo plectro* merito donatur, qua tyrannos insectatus multum etiam moribus confert in eloquendo quoque brevis et magnificus et dicendi vi¹ plerumque oratori similis; sed et lusit² et in amores descendit, maioribus tamen
- 64 aptior. Simonides, tenuis alioqui, sermone proprio et iucunditate quadam commendari potest; praecipua tamen eius in commovenda miseratione virtus, ut quidam in hac eum parte omnibus eius operis auctoribus praeferant.
- 65 Antiqua comoedia cum sinceram illam sermonis Attici gratiam prope sola retinet, tum facundissimae libertatis est et in³ insectandis vitiis praecipua, plurimum tamen virium etiam in ceteris partibus habet. Nam et grandis et elegans et venusta, et nescio an ulla, post Homerum tamen, quem ut Achillem

¹ dicendi vi, *Halm*: dicendi et, *G*.

² sed et lusit, *several late MSS.*: et eius sit, *G*.

³ est et in, *G. A. B. Wolff*: etsi est, *MSS.*

¹ Stesichorus of Himera in Sicily (*flor. circ. 600 B.C.*), wrote in lyric verse on many legends, more especially on themes connected with the Trojan war.

² Hor. *Od.* II. xiii. 26. Alcaeus of Mitylene (*circa 600 B.C.*).

³ Simonides of Ceos, 556–468 B.C., famous for all forms of lyric poetry, especially funeral odes.

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semper excipi par est, aut similior sit oratoribus
 66 aut ad oratores faciendos aptior. Plures eius
 auctores; Aristophanes tamen et Eupolis Crati-
 nusque praecipui. Tragoedias primus in lucem
 Aeschylus protulit, sublimis et gravis et grandiloquus
 saepe usque ad vitium, sed rudis in plerisque et
 incompositus; propter quod correctas eius fabulas in
 certamen deferre posterioribus poetis Athenienses
 67 permiserunt, suntque eo modo multi coronati. Sed
 longe clarius illustraverunt hoc opus Sophocles atque
 Euripides, quorum in dispari dicendi via uter sit
 poeta melior, inter plurimos quaeritur; idque ego
 sane, quoniam ad praesentem materiam nihil pertinet,
 iniudicatum relinquo. Illud quidem nemo non fate-
 atur necesse est, iis qui se ad agendum comparant
 68 utiliorem longe fore Euripiden. Namque is et
 sermone (quod ipsum reprehendunt, quibus gravitas
 et cothurnus et sonus Sophocli videtur esse subli-
 mior) magis accedit oratorio generi et sententiis
 densus et in iis quae a sapientibus tradita sunt
 paene ipsis par, et dicendo ac respondendo cuilibet
 eorum qui fuerunt in foro disertis comparandus; in
 adfectibus vero cum omnibus mirus tum in iis qui
 69 miseratione constant facile praecipuus. Hunc ¹admi-
 ratus maxime est, ut saepe testatur, et secutus, quan-
 quam in opere diverso, Menander, qui vel unus, meo

¹ hunc, *several late MSS.* : et, *G.*

¹ Contemporaries : Cratinus (519-422), Aristophanes (448-380), Eupolis (446-410).

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quidem iudicio, diligenter lectus ad cuncta, quae praecipimus, effingenda sufficiat; (ita omnem vitae imaginem expressit, tanta in eo inveniendi copia et eloquendi facultas, ita est omnibus rebus, personis, 70 adfectibus accommodatus.) Nec nihil profecto videntur, qui orationes, quae Charisii nomini addicuntur,¹ a Menandro scriptas putant. Sed mihi longe magis orator probari in opere suo videtur, nisi forte aut illa² iudicia, quae Epitrepontes, Epicleros, Locroe habent, aut meditationes in Psophodee, Nomothete, Hypobolimaeco non omnibus oratoriis numeris sunt abso- 71 lutae. Ego tamen plus adhuc quiddam collaturum eum declamatoribus puto, quoniam his necesse est secundum condicionem controversiarum plures subire personas, patrum, filiorum, militum, rusticorum, divitum, pauperum, irascentium, deprecantium, mitium, asperorum. (In quibus omnibus mire custoditur 72 ab hoc poeta decor.) Atque ille quidem omnibus eiusdem operis auctoribus abstulit nomen et fulgore quodam suae claritatis tenebras obduxit. Tamen habent alii quoque Comici, si cum venia leguntur, quaedam quae possis decerpere; et praecipue Phile-

¹ Charisii nomini addicuntur, a, *Frotscher*: charis in homine adductura, *G.*: Charisii nomine eduntur, *vulgo*.

² after illa *G* and a number of later MSS. read mala, which is, however, omitted in a few MSS. and is expunged by *Andresen*.

¹ A contemporary of Demosthenes; his speeches have not survived, but were considered to resemble those of Lysias.

² The greater portion of the Epitrepontes has been recovered from a papyrus. The other plays are lost. The names may be translated: "The Arbitrators," "The Heiress," "The Locri," "The Timid Man," "The Lawgiver," "The Changeling."

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mon, qui ut prave sui temporis iudiciis Menandro saepe praelatus est, ita consensu tamen omnium meruit credi secundus.

- 73 Historiam multi scripsere praeclare, sed nemo dubitat longe duos ceteris praeferendos, quorum diversa virtus laudem paene est parem consecuta. (Densus et brevis et semper instans sibi Thucydides, (dulcis et candidus et fusus Herodotus;) ille concitatis hic remissis adfectibus melior, ille contionibus hic
74 sermonibus, ille vi hic voluptate. Theopompus his proximus ut in historia praedictis minor, ita oratori magis similis, ut qui, antequam est ad hoc opus sollicitatus, diu fuerit orator. Philistus quoque meretur, qui turbae quamvis bonorum post eos auctorum eximatur, imitator Thucydidis et ut multo infirmior ita aliquatenus lucidior. Ephorus, ut Isocrati visum,
75 calcaribus eget. Clitarchi probatur ingenium, fides infamatur. Longo post intervallo temporis natus Timagenes vel hoc est ipso probabilis, quod intermissam historias scribendi industriam nova laude reparavit. Xenophon non excidit mihi, sed inter philosophos reddendus est.

¹ Theopompus of Chios, born about 378 B.C., wrote a history of Greece (*Hellenica*) from close of Peloponnesian war to 394 B.C., and a history of Greece in relation to Philip of Macedon (*Philippica*). His master, Isocrates, urged him to write history.

² Philistus of Syracuse, born about 430 B.C., wrote a history of Sicily.

³ Ephorus of Cumae, *flor. circ.* 340 B.C., wrote a universal history. He was a pupil of Isocrates. *Cp.* II. viii. 11.

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- 76 Sequitur oratorum ingens manus, ut cum decem simul Athenis aetas una tulerit. Quorum longe princeps Demosthenes ac paene lex orandi fuit; / tanta vis in eo, tam densa omnia, ita quibusdam nervis intenta sunt, tam nihil otiosum, is dicendi modus, ut nec quod desit in eo nec quod redundet
- 77 invenias. Plenior Aeschines et magis fusus et grandiori similis, quo minus strictus est; carnis tamen plus habet, minus lacertorum. Dulcis in primis et acutus Hyperides, sed minoribus causis, ut non dixerim
- 78 utilior, magis par. (His aetate Lysias maior, subtilis atque elegans et quo nihil, si oratori satis est docere, quaeras perfectius. Nihil enim est inane, nihil arces- situm; puro tamen fonti quam magno flumini propior.)
- 79 Isocrates in diverso genere dicendi nitidus et comptus et palaestrae quam pugnae magis accommodatus omnes dicendi veneres sectatus est, nec immerito; auditoriis enim se, non iudiciis compararat; in in- ventione facilis, honesti studiosus, in compositione
- 80 adeo diligens, ut cura eius reprehendatur. Neque ego in his, de quibus sum locutus, has solas virtutes, sed has praecipuas puto, nec ceteros parum fuisse

¹ Antiphon, Andocides, Lysias (flor. 403-380), Isocrates (435-338), Isaeus, Demosthenes, Aeschines, Lycurgus, Hyperides and Dinarchus,

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magnos. Quin etiam Phalerea illum Demetrium, quanquam is primus inclinasse eloquentiam dicitur, multum ingenii habuisse et facundiae fateor, vel ob hoc memoria dignum, quod ultimus est fere ex Atticis, qui dici possit orator; quem tamen in illo medio genere dicendi praefert omnibus Cicero.

- 81 Philosophorum, ex quibus plurimum se traxisse eloquentiae M. Tullius confitetur (quis dubitet Platonem esse praecipuum sive acumine disserendi sive eloquendi facultate divina quadam et Homericam?) Multum enim supra prosam orationem et quam pedestrem Graeci vocant surgit, ut mihi non hominis ingenio sed quodam Delphici videatur oraculo dei instinctus.¹
- 82 Quid ego commemorem Xenophontis illam iucunditatem inadfectatam, sed quam nulla consequi adfectatio possit? ut ipsae sermonem finxisse Gratiae videantur et, quod de Pericle veteris comoediae testimonium est, in hunc transferri iustissime possit, in labris eius sedisse quandam persuadendi deam.
- 83 Quid reliquorum Socraticorum elegantiam? Quid Aristotelem? quem dubito scientia rerum an scriptorum copia an eloquendi² suavitate an inventionum acumine an varietate operum clariorem putem. Nam

¹ quodam Delphici . . . dei instinctus, *Frotscher* : quaedam Delphico . . . de instrictus, *G* : quodam Delphico . . . instinctus, *vulgo*.

² eloquendi, *cod. Harl.* 4950, *cod. Dorv.* : eloquendi usus, *G* and nearly all *MSS.* : eloquendi vi ac, *Geel*.

¹ Governed Athens as Cassander's vicegerent 317-307 : then fled to Egypt, where he died in 283.

² *de Or.* ii. 95. *Orat.* 92. The "intermediate" style is that which lies between the "grand" and the "plain" styles.

³ Eupolis, *πειθώ τις ἐπεκάθιζεν ἐπὶ τοῖς χεῖλεσιν*.

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- in Theophrasto tam est loquendi nitor ille divinus,
 84 ut ex eo nomen quoque traxisse dicatur. Minus
 indulgere eloquentiae Stoici veteres; sed cum honesta
 suaserunt tum in colligendo probandoque quae insti-
 tuerant plurimum valuerunt, rebus tamen acuti magis
 quam, id quod sane non adfectaverunt, oratione
 magnifici.
- 85 Idem nobis per Romanos quoque auctores ordo
 ducendus est. Itaque ut apud illos Homerus sic
 apud nos Vergilius auspicatissimum dederit exordium,
 omnium eius generis poetarum Graecorum nostro-
 86 rumque haud dubie proximus. Utar enim verbis
 iisdem, quae ex Afro Domitio iuvenis excepi; qui
 mihi interroganti, quem Homero crederet maxime
 accedere, *Secundus*, inquit, *est Vergilius, propior tamen*
primo quam tertio. Et hercule ut¹ illi naturae caelesti
 atque immortalis cesserimus, ita curae et diligentiae
 vel ideo in hoc plus est, quod ei fuit magis labor-
 andum, et quantum eminentibus vincimur, fortasse
 87 aequalitate pensamus. Ceteri omnes longe sequen-
 tur. Nam Macer et Lucretius legendi quidem,
 sed non ut phrasin, id est, corpus eloquentiae faciant,
 elegantes in sua quisque materia sed alter humilis,
 alter difficilis. Atacinus Varro in iis, per quae nomen
 est adsecutus, interpret operis alieni, non spernendus

¹ ut, several late MSS. : cum, G and majority of MSS.

¹ Theophrastus, Aristotle's successor as head of his school (322-287). Diogenes Laertius (v. 38) says that his real name was Tyrtamus, but that Aristotle called him Theophrastus because of the "divine qualities of his style" (*θεῖος*).

² Varro of Atax in Gaul (82-37 B.C.) was specially famous for his translation of the *Argonautica* of Apollonius Rhodius. He also wrote didactic poetry and historical epic.

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quidem, verum ad augendam facultatem dicendi parum
 88 locuples. Ennium sicut sacros vetustate lucos ador-
 emus, in quibus grandia et antiqua robora iam non
 tantam habent speciem quantam religionem. Pro-
 piores alii atque ad hoc, de quo loquimur, magis
 utiles. (Lascivus quidem in herois quoque Ovidius
 et nimium amator ingenii sui, laudandus tamen in
 89 partibus.) Cornelius autem Severus, etiam si sit¹
 versificator quam poeta melior, si tamen, ut est
 dictum, ad exemplar priini libri bellum Siculum
 perscripsisset, vindicaret sibi iure secundum locum.
 Serranum² consummari mors immatura non passa
 est; puerilia tamen eius opera et maximam indolem
 ostendunt et admirabilem praecipue in aetate illa
 90 recti generis voluntatem. Multum in Valerio Flacco
 nuper amisimus. Vehemens et poeticum ingenium
 Saleii Bassi fuit, nec ipsum senectute maturuit.
 Rabirius ac Pedito non indigni cognitione, si vacet.
 Lucanus ardens et concitatus et sententiis clarissimus
 et, (ut dicam quod sentio, magis oratoribus quam poetis
 91 imitandus.) Hos nominavimus, quia Germanicum

¹ si sit, *Spalding*: MSS. vary between si, sit and sic.

² Serranum, *Lange*: ferrenum, *G*.

¹ Friend and contemporary of Ovid. A considerable frag-
 ment is preserved by Sen. *Suas.* vi. 26. The Sicilian War
 was the war with Sextus Pompeius (38-36) and perhaps
 formed a portion of a larger work on the Civil War. The
 surviving fragment deals with the death of Cicero. The
primus liber may therefore perhaps be the first book of this
 larger work.

² Nothing is known of this poet except the name.

³ Nothing is known of this poet save that he is highly
 praised by Tacitus in his *Dialogues*, and was patronised by
 Vespasian. The unfinished *Argonautica* of Valerius Flaccus
 survives.

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- Augustum ab institutis studiis deflexit cura terrarum, parumque dis visum est esse eum maximum poetarum. Quid tamen his ipsis eius operibus, in quae donato imperio iuvenis secesserat, sublimius, doctius, omnibus denique numeris praestantius? Quis enim caneret bella melius, quam qui sic gerit? Quem praesidentes studiis deae propius audirent? Cui magis suas artes aperiret familiare numen Minerva?
- 92 Dicent haec plenius futura saecula, nunc enim ceterarum fulgore virtutum laus ista praestringitur. Nos tamen sacra litterarum colentes feres, Caesar, si non tacitum hoc praeterimus et Vergiliano certe versu testamur,

Inter victrices hederam tibi serpere laurus.

- 93 Elegia quoque Graecos provocamus, cuius mihi tersus atque elegans maxime videtur auctor Tibullus. Sunt qui Propertium malint. Ovidius utroque lascivior, sicut durior Gallus. Satira quidem tota nostra est, in qua primus insignem laudem adeptus Lucilius quosdam ita deditos sibi adhuc habet amatores, ut eum non eiusdem modo operis auctoribus, sed
- 94 omnibus poetis praeferre non dubitent. Ego quantum ab illis tantum ab Horatio dissentio, qui Luci-

¹ Domitian.

² He claimed to be the son of Minerva. It is doubtful if he ever wrote any poetry. Cp. Tac *Hist.* iv. 86, Suet. *Dom.* 2 and 20.

³ *Ecl.* viii. 13.

⁴ Cornelius Gallus, the friend of Virgil, and the first distinguished writer of elegy at Rome. ⁵ *Sat.* i. iv. 11.

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lium fluere lutulentum et esse aliquid, quod tollere possis, putat. (Nam eruditio in eo mira et libertas atque inde acerbitas et abunde salis.) Multum est tersior ac purus magis Horatius et, nisi labor eius amore, praecipuus. Multum et verae gloriae quamvis uno libro Persius meruit. Sunt clari
 95 hodieque et qui olim nominabuntur. Alterum illud etiam prius satirae genus, sed non sola carminum varietate mixtum condidit Terentius Varro, vir Romanorum eruditissimus. Plurimos hic libros et doctissimos composuit, peritissimus linguae Latinae et omnis antiquitatis et rerum Graecarum nostrarumque, plus tamen scientiae collaturus quam eloquen-
 96 tia. Iambus non sane a Romanis celebratus est ut proprium opus, sed aliis¹ quibusdam interpositus; cuius acerbitas in Catullo, Bibaculo, Horatio, quamquam illi epodos interveniat, reperietur. At Lyricorum idem Horatius fere solus legi dignus. Nam et insurgit aliquando et plenus est iucunditatis et gratiae et varius figuris et verbis felicissime audax. Si quem adicere velis, is erit Caesius

¹ sed aliis, inserted by Christ.

¹ His Menippean Satires, of which only fragments survive. Although ostensibly an imitation of the work of the Greek Menippus of Gadara, they can still be said to belong to the older type of satire, the "medley" or "hotch-potch."

² The meaning is not clear. The words may mean (i) that these writers did not confine themselves to the *iambus*, or (ii) that the *iambus* alternates with other metres, cp. *epodos* below.

³ M. Furius Bibaculus, contemporary of Catullus, and writer of similar invective against the Caesareans.

⁴ i. e. the short iambic line interposed between the trimeters.

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Bassus, quem nuper vidimus; sed eum longe praecedunt ingenia viventium.

- 97 Tragoediae scriptores veterum Accius atque Pacuvius clarissimi¹ gravitate sententiarum, verborum pondere, auctoritate personarum. Ceterum nitor et summa in excolendis operibus manus magis videri potest temporibus quam ipsis defuisse. (Virium tamen Accio plus tribuitur; Pacuvium videri doctiorem qui
98 esse docti adfectant volunt.) Iam Varii Thyestes cuilibet Graecarum comparari potest. Ovidii Medea videtur mihi ostendere, quantam ille vir praestare potuerit, si ingenio suo imperare quam indulgere maluisset. Eorum quos viderim longe princeps Pomponius Secundus, quem senes quidem parum tragicum putabant, eruditione ac nitore praestare confitebantur.
99 In comoedia maxime claudicamus. Licet Varro Musas, Aelii Stilonis sententia, Plautino dicat sermone locuturas fuisse, si Latine loqui vellent, licet Caecilium veteres laudibus ferant, licet Terentii scripta ad Scipionem Africanum referantur (quae tamen sunt in hoc genere elegantissima et plus adhuc habitura gratiae si intra versus trimetros stetissent),
100 vix levem consequimur umbram, adeo ut mihi sermo ipse Romanus non recipere videatur illam solis concessam Atticis venerem, cum eam ne Graeci quidem

¹ clarissimi, *several late MSS.* : gravissima, G: gravissimus, *other late MSS.* : grandissimus, *cod. Monac.* : grandissimi, *Halm.*

¹ Accius (170-90), Pacuvius (220-132).

² L. Varius Rufus, friend of Virgil and Horace, editor of the *Aeneid*; wrote epic and a single tragedy.

³ Pomponius Secundus, died 60 A.D.; wrote a tragedy entitled *Aeneas*.

⁴ The first Roman philologist (144-70 B.C.).

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- in alio genere linguae suae¹ obtinuerint. Togatis excellit Afranius; utinam non inquinasset argumenta puerorum foedis amoribus mores suos fassus.
- 101 At non historia cesserit Graecis, nec opponere Thucydidi Sallustium verear, neque indignetur sibi Herodotus aequari T. Livium, (cum in narrando mirae iucunditatis clarissimique candoris, tum in contionibus supra quam enarrari potest eloquentem) ita quae dicuntur omnia cum rebus tum personis accommodata sunt; adfectus quidem, praecipueque eos qui sunt dulciores, ut parcissime dicam, nemo
- 102 historicorum commendavit magis. Ideoque immortalē illam Sallustii velocitatem diversis virtutibus consecutus est. Nam mihi egregie dixisse videtur Servilius Nonianus, pares eos magis quam similes; qui et ipse a nobis auditus est, clarus vi² ingenii et sententiis creber, sed minus pressus quam
- 103 historiae auctoritas postulat. Quam paulum aetate praecedens eum Bassus Aufidius egregie, utique in libris belli Germanici, praestitit genere ipso, probabilis in omnibus, sed in quibusdam suis ipse viribus
- 104 minor. Superest adhuc et exornat aetatis nostrae gloriam vir saeculorum memoria dignus, qui olim nominabitur, nunc intelligitur. Habet amatores nec

¹ suae, *Köhler* : quae, *G*.

² clarus vi, *Kiderlin* : clarius, *G* : clari vir, *vulgo*.

¹ Caecilius (219-166), Terence (194-159), Afranius (flor. circ. 150) Only fragments of Caecilius and Afranius survive.

² Friend of Persius, and famous as orator, reciter and historian; died 60 A.D.

³ He wrote a history of the empire down to the death of Claudius. The work on the German war was probably a separate work.

⁴ Probably Fabius Rusticus. Tacitus would have been too young at this time to be mentioned in such terms.

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immerito Cremuti¹ libertas, quanquam circumcisis quae dixisse ei nocuerat. Sed elatum abunde spiritum et audaces sententias deprehendas etiam in his quae manent. Sunt et alii scriptores boni, sed nos genera degustamus, non bibliothecas excutimus.

- 105 Oratores vero vel praecipue Latinam eloquentiam parem facere Graecae possint. Nam Ciceronem cuicunque eorum fortiter opposuerim. Nec ignoro quantam mihi concitem pugnam, cum praesertim non sit id propositi, ut eum Demostheni comparem hoc tempore; neque enim attinet, cum Demosthenem in primis legendum vel ediscendum potius
106 putem. Quorum ego virtutes plerasque arbitror similes, consilium, ordinem, dividendi,² praeparandi, probandi rationem, omnia denique quae sunt inventionis. (In eloquendo est aliqua diversitas; densior ille hic copiosior, ille concludit adstrictius hic latius, pugnat ille acumine semper hic frequenter et pondere, illi nihil detrahi potest huic nihil adiici,
107 curae plus in illo in hoc naturae.) Salibus certe et commiseratione, qui duo plurimum in adfectibus

¹ immerito Cremuti, *Nipperday*: immerito rem * * * uti, *G*: later *MSS.* vary between immerito reiniti and imitatores uti.

² dividendi, *Aldine ed.*: videndi, *G* and nearly all *MSS.*

¹ Cremutius Cordus wrote a history of the Civil wars and reign of Augustus. He was accused for his praise of Brutus and Cassius, and committed suicide in A.D. 25. It was he who called Cassius "the last of all the Romans."

² See XII. i. 14 *sqq.*, also XII. x. 12 *sqq.*

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valent, vincimus. Et fortasse epilogos illi mos civitatis abstulerit; sed et nobis illa, quae Attici mirantur, diversa Latini sermonis ratio minus permiserit. In epistolis quidem, quanquam sunt utriusque, dialo-
 108 gisve, quibus nihil ille, nulla contentio est. Cedendum vero in hoc, quod et prior fuit et ex magna parte Ciceronem, quantus est, fecit. Nam mihi videtur M. Tullius, cum se totum ad imitationem Graecorum contulisset, effinxisse vim Demosthenis,
 109 copiam Platonis, iucunditatem Isocratis. Nec vero quod in quoque optimum fuit, studio consecutus est tantum; sed plurimas vel potius omnes ex se ipso virtutes extulit immortalis ingenii beatissima ubertas. Non enim pluvias, ut ait Pindarus, aquas colligit, sed vivo gurgite exundat, dono quodam providentiae genitus, in quo totas vires suas eloquentia experi-
 110 retur. Nam quis docere diligentius, movere vehementius potest? Cui tanta unquam iucunditas adfuit? ut ipsa illa quae extorquet impetrare eum credas, et cum transversum vi sua iudicem ferat
 111 tamen ille non rapi videatur, sed sequi. Iam in

¹ *cp.* II. xvi. 4; VI. i 7 Quintilian refers to an alleged law at Athens forbidding appeals to the emotion.

² The quotation is not found in Pindar's extant works.

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omnibus quae dicit tanta auctoritas inest, ut dissentire pudeat, nec advocati studium sed testis aut iudicis adferat fidem, cum interim haec omnia, quae vix singula quisquam intentissima cura consequi posset, fluunt illaborata, et illa, qua nihil pulchrius auditum est, oratio prae se fert tamen felicissimam
 112 facilitatem. Quare non immerito ab hominibus¹ aetatis suae regnare in iudiciis dictus est, apud posteros vero id consecutus, (ut Cicero iam non hominis nomen, sed eloquentiae habeatur. Hunc igitur spectemus, hoc propositum nobis sit exemplum, ille se profecisse sciat, cui Cicero valde
 113 placebit.) Multa in Asinio Pollione inventio, summa diligentia, adeo ut quibusdam etiam nimia videatur, et consilii et animi satis; a nitore et iucunditate Ciceronis ita longe abest, ut videri possit saeculo prior. At Messala nitidus et candidus et quadammodo praeferens in dicendo nobilitatem suam, viri-
 114 bus minor. C. vero Caesar si foro tantum vacasset, non alius ex nostris contra Ciceronem nominaretur. Tanta in eo vis est, id acumen, ea concitatio, ut illum eodem animo dixisse, quo bellavit, appareat; exornat tamen haec omnia mira sermonis, cuius

¹ ab hominibus, *Halm*: ab omnibus, *B*: hominibus, *a few late MSS.*

¹ Asinius Pollio (75 B.C.—A.D. 4), the friend of Virgil, distinguished as poet, historian and orator.

² M. Valerius Corvinus (64 B.C.—A.D. 8), the friend of Tibullus and distinguished as an orator.

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- 115 proprie studiosus fuit, elegantia. Multum ingenii in Caelio et praecipue in accusando multa urbanitas, dignusque vir cui et mens melior et vita longior contigisset. Inveni qui Calvum praeferrent omnibus, inveni qui Ciceroni crederent, eum nimia contra se calumnia verum sanguinem perdidisse; sed est et sancta et gravis oratio et castigata et frequenter vehemens quoque. Imitator autem est Atticorum, fecitque illi properata mors iniuriam, si quid adiecturus fuit.¹ Et Servius Sulpicius insignem non immerito famam tribus orationibus meruit. Multa, si cum iudicio legatur, dabit imitatione digna Cassius Severus, qui si ceteris virtutibus colorem et gravitatem orationis adiecisset, ponendus inter praecipuos foret.
- 117 Nam et ingenii plurimum est in eo et acerbitas mira, et urbanitas et fervor;² sed plus stomacho quam consilio dedit. Praeterea ut amari sales, ita frequenter
- 118 amaritudo ipsa ridicula est. Sunt alii multi diserti, quos persequi longum est. Eorum quos viderim Domitius Afer et Iulius Africanus longe praestantissimi. (Arte ille et toto genere dicendi praeferendus et quem in numero veterum habere non timeas;) hic concitator,

¹ adiecturus fuit, *B: most later MSS. add non si quid detracturus with slight variations.*

² et fervor, *Bursian: et sermo, B.*

¹ M. Rufus Caelius, defended by Cicero in the *pro Caelio*. Killed in 48 B.C. *Cp.* iv. ii. 123.; viii. vi. 53.

² Calvus (Gaius Licinius), a distinguished poet and, with Brutus, the leading orator of the Attic School. He died at the age of 34 in 48 B.C.

³ Servius Sulpicius Rufus, the greatest jurist of the Ciceronian age.

⁴ Cassius Severus (*d.* A.D. 34) banished by Augustus on account of his scurrilous lampoons.

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- sed in cura verborum nimius et compositione nonnunquam longior et translationibus parum modicus.
- 119 Erant clara et nuper ingenia. Nam et Trachalus plerumque sublimis et satis apertus fuit et quem velle optima crederes, auditus tamen maior; nam et vocis, quantam in nullo cognovi, felicitas et pronuntiatio vel scenis suffectura et decor, omnia denique ei, quae sunt extra, superfuerunt; et Vibius Crispus compositus et iucundus et delectationi natus, privatis tamen causis
- 120 quam publicis melior. Iulio Secundo, si longior contigisset aetas, clarissimum profecto nomen oratoris apud posteros foret. Adiecisset enim atque adiciebat ceteris virtutibus suis quod desiderari potest; id est autem, ut esset multo magis pugnax et saepius ad curam rerum ab elocutione respiceret.
- 121 Ceterum interceptus quoque magnum sibi vindicat locum; ea est facundia, tanta in explicando, quod velit gratia, tam candidum et leve et speciosum dicendi genus, tanta verborum etiam quae adsumpta sunt proprietas, tanta in quibusdam ex periculo
- 122 petitis significantia. Habebunt, qui post nos de oratoribus scribent, magnam eos, qui nunc vigent, materiam vere laudandi. Sunt enim summa hodie, quibus illustratur forum, ingenia. Namque et consummati iam patroni veteribus aemulantur et eos

¹ M. Galerius Trachalus (cos. 68 A.D.) *Cp* XII. v. 5.

² Vibius Crispus, a *delator* under Nero, died about A.D. 90, after acquiring great wealth. *Cp. Juv.* iv. 81-93.

³ Julius Secundus, a distinguished orator of the reign of Vespasian. One of the characters in the *Dialogus* of Tacitus.

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iuvenum ad optima tendentium imitatur ac sequitur industria.

- 123 Supersunt qui de philosophia scripserint, quo in genere paucissimos adhuc eloquentes litterae Romanae tulerunt. Idem igitur M. Tullius, qui ubique, etiam in hoc opere Platonis aemulus exstitit. Egregius vero multoque quam in orationibus praestantior Brutus sufficit ponderi rerum; scias eum
124 sentire quae dicit. Scripsit non parum multa Cornelius Celsus, Sextios secutus, non sine cultu ac nitore. Plautus in Stoicis rerum cognitioni utilis. In Epicureis levis quidem, sed non iniucundus tamen
125 auctor est Catius. Ex industria Senecam in omni genere eloquentiae distuli propter vulgatam falso de me opinionem, qua damnare eum et invisum quoque habere sum creditus. Quod accidit mihi, dum corruptum et omnibus vitiis fractum dicendi genus revocare
126 ad severiora iudicia contendo. Tum autem solus hic fere in manibus adolescentium fuit. Quem non equidem omnino conabar excutere, sed potioribus praeferrere non sinebam, quos ille non destiterat incensere, cum diversi sibi conscius generis placere se in dicendo posse iis, quibus illi placent, diffideret. Ama-

¹ Brutus, omitted from Quintilian's list of orators, was a follower of the Stoic and Academic schools. He is known to have written treatises on Virtue, Duty and Patience.

² An encyclopaedic writer under Augustus and Tiberius. His medical treatises have survived. He wrote on oratory also, and is not infrequently quoted by Quintilian.

³ The Sextii, father and son, were Pythagorean philosophers of the Augustan age, with something of a Stoic tendency as well.

⁴ Nothing is known of this writer, save what is told us in III. xiv. 2, and III. vi. 23.

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bant autem eum magis quam imitabantur tantumque
 ab eo defluebant, quantum ille ab antiquis descend-
 127 erat. Foret enim optandum pares ac saltem proximos
 illi viro fieri. Sed placebat propter sola vitia et ad
 ea se quisque dirigebat effingenda quae poterat;
 deinde cum se iactaret eodem modo dicere, Senecam
 128 infamabat. Cuius et multae alioqui et magnae vir-
 tutes fuerunt, ingenium facile et copiosum, plurimum
 studii, multa rerum cognitio; in qua tamen ali-
 quando ab his, quibus inquirenda quaedam mandabat
 129 deceptus est. Tractavit etiam omnem fere studiorum
 materiam. Nam et orationes eius et poemata et
 epistolae et dialogi feruntur. In philosophia parum
 diligens, egregius tamen vitiorum insectator fuit.
 Multae in eo claraeque sententiae, multa etiam
 morum gratia legenda; sed in eloquendo corrupta
 pleraque atque eo perniciosissima, quod abundant
 130 dulcibus vitiis. Velles eum suo ingenio dixisse,
 alieno iudicio. Nam si obliqua¹ contempsisset, si
 parum recta² non concupisset, si non omnia sua
 amasset, si rerum pondera minutissimis sententiis
 non fregisset, consensu potius eruditorum quam

¹ obliqua, *E. Wöflin*: simile quam, *B*: si aliqua, *2nd hand*.
² recta, *added by Peterson*.

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131 puerorum amore comprobaretur. Verum sic quoque iam robustis et severiore genere satis firmatis legendus vel ideo quod exercere potest utrinque iudicium. Multa enim, ut dixi, probanda in eo, multa etiam admiranda sunt, eligere modo curae sit; quod utinam ipse fecisset. Digna enim fuit illa natura, quae meliora vellet; quod voluit effecit.

II. Ex his ceterisque lectione dignis auctoribus et verborum sumenda copia est et varietas figurarum et componendi ratio, tum ad exemplum virtutum omnium mens dirigenda. Neque enim dubitari potest, quin artis pars magna contineatur imitatione. Nam ut invenire primum fuit estque praecipuum, sic ea, quae
2 bene inventa sunt, utile sequi. Atque omnis vitae ratio sic constat, ut quae probamus in aliis facere ipsi velimus. Sic litterarum ductus, ut scribendi fiat usus, pueri sequuntur, sic musici vocem docentium, pictores opera priorum, rustici probatam experimento culturam in exemplum intuentur; omnis denique
3 disciplinae initia ad propositum sibi praescriptum formari videmus. Et hercule necesse est aut similes aut dissimiles bonis simus. Similem raro natura praestat, frequenter imitatio. Sed hoc ipsum, quod

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tanto faciliorem nobis rationem rerum omnium facit quam fuit iis, qui nihil quod sequerentur habuerunt, nisi caute et cum iudicio apprehenditur, nocet.

- 4 Ante omnia igitur imitatio per se ipsa non sufficit, vel quia pigri est ingenii contentum esse iis, quae sint ab aliis inventa. Quid enim futurum erat temporibus illis, quae sine exemplo fuerunt, si homines nihil, nisi quod iam cognovissent, faciendum sibi aut cogitandum putassent? Nempe nihil fuisset
5 inventum. Cur igitur nefas est reperiri aliquid a nobis, quod ante non fuerit? An illi rudes sola mentis natura ducti sunt in hoc ut tam multa generarent, nos ad quaerendum non eo ipso concitemur,
6 quod certe scimus invenisse eos qui quaesierunt? Et cum illi, qui nullum cuiusquam rei habuerunt magistrum, plurima in posteros tradiderunt, nobis usus aliarum rerum ad eruendas alias non proderit, sed nihil habebimus nisi beneficii alieni? Quemadmodum quidam pictores in id solum student, ut de-
7 scribere tabulas mensuris ac lineis sciant. Turpe etiam illud est, contentum esse id consequi quod imiteris. Nam rursus quid erat futurum, si nemo plus effecisset eo quem sequebatur? Nihil in poetis supra Livium Andronicum, nihil in historiis supra Pontificum annales haberemus; ratibus adhuc navi-

¹ The reference is to copying by dividing the surface of the picture to be copied, and of the material on which the copy is to be made, into a number of equal squares.

² Livius Andronicus, a slave from Tarentum, was the founder of Latin poetry. He translated the *Odyssey*, and produced the first Latin comedy and tragedy composed in Greek metres (240 B.C.)

³ The *Annales Maximi* kept by the Pontifex Maximus, containing the list of the consuls and giving a curt summary of the events of each consulate.

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- garemus; non esset pictura, nisi quae lineas modo extremas umbrae, quam corpora in sole fecissent, 8 circumscriberet. Ac si omnia percenseas, nulla mansit¹ ars, qualis inventa est, nec intra initium stetit, nisi forte nostra potissimum tempora damnamus huius infelicitatis, ut nunc demum nihil crescat.
- 9 Nihil autem crescit sola imitatione. Quodsi prioribus adiicere fas non est, quomodo sperare possumus illum oratorem perfectum? cum in his, quos maximos adhuc novimus, nemo sit inventus, in quo nihil aut desideretur aut reprehendatur. Sed etiam qui summa non appetent, contendere potius quam sequi debent.
- 10 Nam qui hoc agit² ut prior sit, forsitan, etiamsi non transierit, aequabit. Eum vero nemo potest aequare, cuius vestigiis sibi utique insistendum putat; necesse est enim semper sit posterior qui sequitur. Adde quod plerumque facilius est plus facere quam idem. Tantam enim difficultatem habet similitudo, ut ne ipsa quidem natura in hoc ita evaluerit, ut non res quae simillimae, quaeque pares maxime videantur, 11 utique discrimine aliquo discernantur. Adde quod, quidquid alteri simile est, necesse est minus sit eo, quod imitatur, ut umbra corpore et imago facie et

¹ mansit, *Meister* : sit, *MSS.*

² hoc agit, *Halm, om. B* : agit, *later MSS.*

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- actus histrionum veris adfectibus. Quod in orationibus quoque evenit. Namque eis, quae in exemplum adsumimus, subest natura et vera vis; contra omnis imitatio ficta est et ad alienum propositum accommodatur.¹ Quod facit, ut minus sanguinis ac virium declamationes habeant quam orationes, quod in illis vera, in his adsimilata materia est. Adde quod ea, quae in oratore maxima sunt, imitabilia non sunt, ingenium, inventio, vis, facilitas et quidquid arte non traditur. Ideoque plerique, cum verba quaedam ex orationibus excerpserunt aut aliquos compositionis certos pedes, mire a se, quae legerunt, effingi arbitrantur; cum et verba intercidant invalescantque temporibus, ut quorum certissima sit regula in consuetudine, eaque non sua natura sint bona aut mala (nam per se soni tantum sunt), sed prout opportune proprieque aut secus collocata sunt, et compositio cum rebus accommodata sit, tum ipsa varietate gratissima.
- 14 Quapropter exactissimo iudicio circa hanc partem studiorum examinanda sunt omnia. Primum, quos imitemur; nam sunt plurimi, qui similitudinem pessimi cuiusque et corruptissimi concupierunt; tum in
- ¹ accommodatur, *2nd hand of B and later MSS.*: commodatur, *B*.
- 80

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ipsis, quos elegerimus, quid sit, ad quod nos effici-
15 endum comparemus. Nam in magnis quoque aucto-
toribus incidunt aliqua vitiosa et a doctis, inter ipsos
etiam mutuo reprehensa; atque utinam tam bona
imitantes dicerent melius quam mala peius dicunt.
Nec vero saltem iis, quibus ad evitanda vitia iudicii
satis fuit, sufficiat imaginem virtutis effingere et
solam, ut sic dixerim, cutem vel potius illas Epicuri
16 figuras, quas e summis corporibus dicit effluere. Hoc
autem his accidit, qui non introspectis penitus virtu-
tibus ad primum se velut aspectum orationis aptarunt;
et cum iis felicissime cessit imitatio, verbis atque
numeris sunt non multum differentes, vim dicendi
atque inventionis non adsequuntur, sed plerumque
declinant in peius et proxima virtutibus vitia compre-
hendunt fiuntque pro grandibus tumidi, pressis exiles,
fortibus temerarii, laetis corrupti, compositis exult-
17 antes, simplicibus negligentes. Ideoque qui horride
atque incomposite quidlibet illud frigidum et inane
extulerunt, antiquis se pares credunt; qui carent
cultu atque sententiis, Attici scilicet; qui praecisis
conclusionibus obscuri, Sallustium atque Thucydidem

¹ Epicurus held that all sense-perception was caused by the impact of such atomic sloughs: *cp. Lucret. iv. 42 sqq.*

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- superant; tristes ac ieiuni Pollionem aemulantur : otiosi et supini, si quid modo longius circumduxerunt,
- 18 iurant ita Ciceronem locuturum fuisse. Noveram quosdam, qui se pulchre expressisse genus illud caelestis huius in dicendo viri sibi viderentur, si in clausula posuissent *Esse videatur*. Ergo primum est, ut quod imitaturus est quisque intelligat et quare bonum sit sciat.
- 19 Tum in suscipiendo onere consulat suas vires. Nam quaedam sunt imitabilia, quibus aut infirmitas naturae non sufficiat aut diversitas repugnet. Ne, cui tenue ingenium erit, sola velit fortia et abrupta; cui forte quidem, sed indomitum, amore subtilitatis et vim suam perdat et elegantiam quam cupit non persequatur; nihil est enim tam indecens, quam cum
- 20 mollia dure fiunt. Atque ego illi praeceptori, quem institueram in libro secundo, credidi non ea sola docenda esse, ad quae quemque discipulorum natura compositum videret; nam is et adiuvere debet, quae in quoque eorum invenit bona, et, quantum fieri potest, adiicere quae desunt et emendare quaedam et mutare; rector enim est alienorum ingeniorum atque
- 21 formator. Difficilius est naturam suam fingere. Sed

¹ *cp.* IX. iv. 73. Tac. *Dial.* 23.

² Ch. 8.

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ne ille quidem doctor, quanquam omnia quae recta sunt velit esse in suis auditoribus quam plenissima, in eo tamen, cui naturam obstare viderit, laborabit.

Id quoque vitandum, in quo magna pars errat, ne in oratione poetas nobis et historicos, in illis operibus
22 oratores aut declamatores imitandos putemus. Sua cuique proposita¹ lex, suus cuique decor est. Nam nec comoedia in cothurnos adsurgit, nec contra trag-
oediasocco ingreditur. Habet tamen omnis eloquentia aliquid commune; id imitemur quod commune est.

23 Etiam hoc solet incommodi accidere iis, qui se uni alicui generi dediderunt, ut, si asperitas iis placuit alicuius, hanc etiam in leni ac remisso causarum genere non exuant; si tenuitas ac iucunditas, in asperis gravibusque causis ponderi rerum parum respondeant: cum sit diversa non causarum modo inter ipsas condicio, sed in singulis etiam causis partium, sintque alia leniter alia aspere, alia concitate alia remisse, alia docendi alia movendi gratia dicenda; quorum omnium dissimilis atque diversa inter se
24 ratio est. Itaque ne hoc quidem suaserim, uni se

¹ proposita, *most later MSS.*: propositio, *B*: proposito, *Gertz.*

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alicui proprie, quem per omnia sequatur, addicere. Longe perfectissimus Graecorum Demosthenes, aliquid tamen aliquo in loco melius alii, plurima ille. Sed non qui maxime imitandus, et solus imitandus
25 est. Quid ergo? non est satis omnia sic dicere, quomodo M. Tullius dixit? Mihi quidem satis esset, si omnia consequi possem. Quid tamen noceret vim Caesaris, asperitatem Caelii, diligentiam Pollionis,
26 iudicium Calvi quibusdam in locis adsumere? Nam praeter id quod prudentis est, quod in quoque optimum est, si possit, suum facere, tum in tanta rei difficultate unum intuentes vix aliqua pars sequitur. Ideoque cum totum exprimere quē elegeris paene sit homini inconcessum, plurium bona ponamus ante oculos, ut aliud ex alio haereat, et quod cuique loco conveniat aptemus.

27 Imitatio autem (nam saepius idem dicam) non sit tantum in verbis. Illuc intendenda mens, quantum fuerit illis viris decoris in rebus atque personis, quod consilium, quae dispositio, quam omnia, etiam quae
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delectationi videantur data, ad victoriam spectent; quid agatur prooemio, quae ratio et quam varia narrandi, quae vis probandi ac refellendi, quanta in adfectibus omnis generis movendis scientia, quamque laus ipsa popularis utilitatis gratia adsumpta, quae tum est pulcherrima, cum sequitur, non cum arcessitur. Haec si perviderimus, tum vere imitabimur.

28 Qui vero etiam propria his bona adiecerit, ut suppleat quae deerant, circumcidat, si quid redundabit, is erit, quem quaerimus, perfectus orator; quem nunc consummari potissimum oporteat, cum tanto plura exempla bene dicendi supersint quam illis, qui adhuc summi sunt, contigerunt. Nam erit haec quoque laus eorum, ut priores superasse, posteros docuisse dicantur.

III. Et haec quidem auxilia extrinsecus adhibentur; in iis autem quae nobis ipsis paranda sunt, ut laboris sic utilitatis etiam longe plurimum adfert stilus. Nec immerito M. Tullius hunc *optimum effectorem ac magistrum dicendi* vocat; cui sententiae personam L. Crassi in disputationibus quae sunt de oratore adsignando, iudicium suum cum illius auctoritate coniunxit.

2 Scribendum ergo quam diligentissime et quam pluri-

¹ *De Or.* i. 150.

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mum. Nam ut terra alte refossa generandis alendisque seminibus fecundior fit, sic profectus non a summo petitus studiorum fructus effundit uberius et fidelius continet. Nam sine hac quidem conscientia ipsa illa ex tempore dicendi facultas inanem modo loquacita-
 3 tem dabit et verba in labris nascentia. Illic radices, illic fundamenta sunt, illic opes velut sanctiore quodam aerario conditae, unde ad subitos quoque casus, cum res exiget, proferantur. Vires faciamus ante omnia, quae sufficiant labori certaminum et usu non
 4 exhaustantur. Nihil enim rerum ipsa natura voluit magnum effici cito praeposuitque pulcherrimo cuique operi difficultatem; quae nascendi quoque hanc fecerit legem, ut maiora animalia diutius visceribus parentis continerentur.

^{1a.}
 Nec in. cum sit duplex quaestio, quomodo et quae
magistrum ²ibi oporteat, iam hinc ordinem sequar.
 1 Crassi in dispartus dum diligens stilus, quaeramus nando, iudicium su offerentibus se gaudeamus, adhi-
 2 Scribendum ergo qua²tis, dispositio probatis. De-

¹ De Oporumque agendus est et

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pondera singulorum examinanda. Post subeat ratio collocandi versenturque omni modo numeri, non ut
6 quodque se proferet verbum occupet locum. Quae quidem ut diligentius exsequamur, repetenda saepius erunt scriptorum proxima. Nam praeter id quod sic melius iunguntur prioribus sequentia, calor quoque ille cogitationis, qui scribendi mora refrixit, recipit ex integro vires et velut repetito spatio sumit impetum; quod in certamine saliendi fieri videmus, ut conatum longius petant et ad illud, quo contenditur, spatium cursu ferantur; utque in iaculando brachia reducimus et expulsuri tela nervos retro tendimus.
7 Interim tamen, si feret flatus, danda sunt vela, dum nos indulgentia illa non fallat. Omnia enim nostra, dum nascuntur, placent; alioqui nec scriberentur. Sed redeamus ad iudicium et retractemus suspectam
8 facilitatem. Sic scripsisse Sallustium accepimus, et sane manifestus est etiam ex opere ipso labor. Vergilium quoque paucissimos die composuisse versus auctor est Varius. Oratoris quidem alia condicio
9 est; itaque hanc moram et sollicitudinem initiis impero. Nam primum hoc constituendum, hoc obti-

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nendum est, ut quam optime scribamus; celeritatem dabit consuetudo. Paulatim res facilius se ostendent, verba respondebunt, compositio sequetur, cuncta denique ut in familia bene instituta in officio erunt.

- 10 Summa haec est rei: cito scribendo non fit, ut bene scribatur; bene scribendo fit, ut cito. Sed tum maxime, cum facultas illa contigerit, resistamus ut provideamus et efferentes equos frenis quibusdam coerceamus; quod non tam moram faciet quam novos impetus dabit. Neque enim rursus eos, qui robur aliquod in stilo fecerint, ad infelicem calumniandi
- 11 se poenam alligandos puto. Nam quomodo sufficere officiis civilibus possit, qui singulis actionum partibus insenescat? Sunt autem quibus nihil sit satis; omnia mutare, omnia aliter dicere quam occurrit velint; increduli quidam et de ingenio suo pessime meriti, qui diligentiam putant facere sibi scribendi diffi-
- 12 cultatem. Nec promptum est dicere, utros peccare validius putem, quibus omnia sua placent an quibus nihil. Accidit enim etiam ingeniosis adolescentibus frequenter, ut labore consumantur et in silentium usque descendant nimia bene dicendi cupiditate. Qua de re memini narrasse mihi Iulium Secundum illum, aequalem meum atque a me, ut notum est, familiariter amatum, mirae facundiae virum, infinitae
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- 13 tamen curae, quid esset sibi a patruo suo dictum. Is
 14 fuit Iulius Florus, in eloquentia Galliarum, quoniam
 ibi demum exercuit eam, princeps, alioqui inter pau-
 cos disertus et dignus illa propinquitate. Is cum
 Secundum, scholae adhuc operatum, tristem forte
 vidisset: interrogavit, quae causa frontis tam ad-
 15 ductae. Nec dissimulavit adolescens, tertium iam
 diem esse, quod omni labore materiae ad scribendum
 destinatae non inveniret exordium; quo sibi non
 praesens tantum dolor, sed etiam desperatio in pos-
 terum fieret. Tum Florus arridens, *Numquid tu, in-*
 16 *quit, melius dicere vis quam potes?* Ita se res habet.
 Curandum est ut quam optime dicamus; dicendum
 tamen pro facultate. Ad profectum enim opus est
 studio non indignatione. Ut possimus autem scribere
 etiam plura et celerius, non exercitatio modo prae-
 stabit, in qua sine dubio multum est, sed etiam ratio;
 si non resupini spectantesque tectum et cogitationem
 murmure agitantes expectaverimus quid obveniat;
 sed quid res poscat, quid personam deceat, quod sit
 tempus, qui iudicis animus intuiti, humano quodam
 modo ad scribendum accesserimus. Sic nobis et
 initia et quae sequuntur natura ipsa praescribit.
- 16 Certa sunt enim pleraque et, nisi conniveamus, in
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oculos incurrunt; ideoque nec indocti nec rustici diu quaerunt, unde incipiant; quo pudendum est magis, si difficultatem facit doctrina. Non ergo semper putemus optimum esse quod latet; immutescamus alioqui, si nihil dicendum videatur, nisi quod non
17 invenimus. Diversum est huic eorum vitium, qui primo decurrere per materiam stilo quam velocissimo volunt et sequentes calorem atque impetum ex tempore scribunt; hanc silvam vocant. Repetunt deinde et componunt quae effuderant; sed verba emendantur et numeri, manet in rebus temere congestis quae
18 fuit levitas. Protinus ergo adhibere curam rectius erit atque ab initio sic opus ducere, ut caelandum, non ex integro fabricandum sit. Aliquando tamen adfectus sequemur, in quibus fere plus calor quam diligentia valet.

Satis apparet ex eo, quod hanc scribentium negligentiam damno, quid de illis dictandi deliciis sentiam.
19 Nam in stilo quidem quamlibet properato dat aliquam cogitationi moram non consequens celeritatem eius manus; ille cui dictamus urget, atque interim

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pudet etiam dubitare aut resistere aut mutare quasi
 20 conscium infirmitatis nostrae timentes. Quo fit, ut
 non rudia tantum et fortuita, sed impropria interim,
 dum sola est connectendi sermonis cupiditas, effluant,
 quae nec scribentium curam nec dicentium impetum
 consequantur. At idem ille, qui excipit, si tardior in
 scribendo aut incertior in intellegendo¹ velut offen-
 sator fuit, inhibetur cursus, atque omnis quae erat
 concepta mentis intentio mora et interdum ira-
 21 cundia excutitur. Tum illa, quae altiorem² animi
 motum sequuntur quaeque ipsa animum quodam-
 modo concitant, quorum est iactare manum, torquere
 vultum, frontem et latus³ interim obiurgare, quae-
 que Persius notat, cum leviter dicendi genus
 significat,

Nec pluteum, inquit, caedit nec demorsos sapit ungues,

22 etiam ridicula sunt, nisi cum soli sumus. Denique
 ut semel quod est potentissimum dicam, secretum
 in⁴ dictando perit. Atque liberum arbitris locum et
 quam altissimum silentium scribentibus maxime con-
 venire nemo dubitaverit. Non tamen protinus audi-
 endi, qui credunt aptissima in hoc nemora silvasque,
 quod illa caeli libertas locorumque amoenitas subli-
 23 mem animum et beatiorum spiritum parent. Mihi certe

¹ intellegendo, Müller: legendo, B.

² altiore, later MSS.: aptiore, B.

³ frontem et latus, Peterson: sintielatus, B (2nd hand): simul et, almost all MSS.

⁴ in, several later MSS.: quod, B.

iucundus hic magis quam studiorum hortator videtur
 esse secessus. Namque illa, quae ipsa delectant,
 necesse est avocent ab intentione operis destinati.
 Neque enim se bona fide in multa simul intendere
 animus totum potest, et quocunque respexit, desinit
 24 intueri quod propositum erat. Quare silvarum amoe-
 nitas et praeterlabentia flumina et inspirantes ramis
 arborum aerae volucrumque cantus et ipsa late cir-
 cumspiciendi libertas ad se trahunt, ut mihi remittere
 potius voluptas ista videatur cogitationem quam in-
 25 tendere. Demosthenes melius, qui se in locum, ex
 quo nulla exaudiri vox et ex quo nihil prospici posset,
 recondebat ne aliud agere mentem cogerent oculi.
 Ideoque lucubrantem silentium noctis et clausum
 cubiculum et lumen unum velut tectos¹ maxime
 23 teneat. Sed cum in omni studiorum genere tum in
 hoc praecipue bona valetudo, quaeque eam maxime
 praestat, frugalitas, necessaria est, cum tempora ab
 ipsa rerum natura ad quietem refectionemque nobis
 data in acerrimum laborem convertimus. Cui tamen
 non plus irrogandum est quam quod somno supererit,
 27 haud deerit. Obstat enim diligentiae scribendi etiam
 fatigatio, et abunde, si vacet, lucis spatia sufficiunt;
 occupatos in noctem necessitas agit. Est tamen lu-
 cubratio, quotiens ad eam integri ac refectionis venimus,
 optimum secreti genus.

¹ tectos, *ed. Leid.*: rectos, *MSS.*

¹ An underground room. See *Plut. Dem.* vii.

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- 28 Sed silentium et secessus et undique liber animus ut sunt maxime optanda, ita non semper possunt contingere, ideoque non statim, si quid obstrepet, abiiciendi codices erunt et deplorandus dies; verum incommodis repugnandum et hic faciendus usus, ut omnia quae impediunt vincat intentio; quam si tota mente in opus ipsum direxeris, nihil eorum, quae oculis vel auribus in-
- 29 cursant, ad animum perveniet. An vero frequenter etiam fortuita hoc cogitatio praestat, ut obvios non videamus et itinere deerremus: non consequemur idem, si et voluerimus? Non est indulgendum causis desidia. Nam si non nisi refecti, non nisi hilares, non nisi omnibus aliis curis vacantes studendum existimarimus, semper erit propter quod
- 30 nobis ignoscamus. Quare in turba, itinere, conviviiis etiam faciat sibi cogitatio ipsa secretum. Quid alioqui fiet, cum in medio foro, tot circumstantibus iudiciis, iurgiis, fortuitis etiam clamoribus, erit subito continua oratione dicendum, si particulas quas ceris mandamus nisi in solitudine reperire non possumus? Propter quae idem ille tantus amator secreti Demosthenes in litore, in quo se maximo cum sono fluctus illideret, meditans consuescebat contionum fremitus non expavescere.
- 31 Illa quoque minora (sed nihil in studiis parvum
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est) non sunt transeunda: scribi optime ceris, in quibus facillima est ratio delendi, nisi forte visus infirmior membranarum potius usum exiget, quae ut iuvant aciem, ita crebra relatione, quoad intinguuntur, calami morantur manum et cogitationis
32 impetum frangunt. Relinquendae autem in utrolibet genere contra erunt vacuae tabellae, in quibus libera adiiciendo sit excursio. Nam interim pigritiam emendandi augustiae faciunt aut certe novorum interpositione priora confundant. Ne latas quidem ultra modum esse ceras velim, expertus iuvenem studiosum alioqui praelongos habuisse sermones, quia illos numero versuum metiebatur, idque vitium, quod frequenti admonitione corrigi non
33 potuerat, mutatis codicibus esse sublatum. Debet vacare etiam locus, in quo notentur quae scribentibus solent extra ordinem, id est ex aliis, quam qui sunt in manibus loci, occurrere. Irrumpunt enim optimi nonnunquam sensus, quos neque inserere oportet neque differre tutum est, quia interim elabuntur, interim memoriae suae intentos ab alia inventione declinant ideoque optime sunt in deposito.

IV. Sequitur emendatio, pars studiorum longe utilissima. Neque enim sine causa creditum est stilum non minus agere, cum delet. Huius autem
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operis est adiicere, detrahare, mutare. Sed facilius in iis simpliciusque iudicium, quae replenda vel deiicienda sunt; premere vero tumentia, humilia extollere, luxuriantia adstringere, inordinata digerere, soluta componere, exultantia coercere, duplicis operae. Nam et damnanda sunt quae placuerunt et invenienda quae fugerant. Nec dubium est optimum esse emendandi genus, si scripta in aliquod tempus reponantur, ut ad ea post intervallum velut nova atque aliena redeamus, ne nobis scripta nostra tanquam recentes fetus blandiantur. Sed neque hoc contingere semper potest praesertim oratori, cui saepius scribere ad praesentes usus necesse est; et ipsa emendatio finem habeat. Sunt enim qui ad omnia scripta tanquam vitiosa redeant et, quasi nihil fas sit rectum esse quod primum est, melius existiment quidquid est aliud, idque faciant, quotiens librum in manus resumpserunt, similes medicis etiam integra secantibus. Accidit itaque ut cicatricosa sint et exsanguis et cura peiora. Sit ergo aliquando quod placeat aut certe quod sufficiat, ut opus poliat lima, non exerat. Temporis quoque

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esse debet modus. Nam quod Cinnae Zmyrnam novem annis accepimus scriptam, et Panegyricum Isocratis, qui parcissime, decem annis dicunt elaboratum, ad oratorem nihil pertinet, cuius nullum erit, si tam tardum fuerit, auxilium.

V. Proximum est, ut dicamus, quae praecipue scribenda sint $\xi\xi v$ parantibus. Non est huius¹ quidem operis, ut explicemus quae sint materiae, quae prima aut secunda aut deinceps tractanda sint (nam id factum est etiam primo libro, quo puerorum, et secundo, quo iam robustorum studiis ordinem dedimus) sed de quo nunc agitur, unde copia ac facilitas maxime veniat.

- 2 Vertere Graeca in Latinum veteres nostri oratores optimum iudicabant. Id se L. Crassus in illis Ciceronis de Oratore libris dicit factitasse. Id Cicero sua ipse persona frequentissime praecipit, quin etiam libros Platonis atque Xenophontis edidit hoc genere translatos. Id Messalae placuit, multaeque sunt ab eo scriptae ad hunc modum orationes, adeo ut etiam cum illa Hyperidis pro Phryne
3 difficillima Romanis subtilitate contenderet. Et manifesta est exercitationis huiusce ratio. Nam et rerum copia Graeci auctores abundant et plurimum artis in eloquentiam intulerunt, et hos transferentibus verbis uti optimis licet, omnibus enim

¹ non est huius, *added by Bursian.*

¹ C. Helvius Cinna, the friend of Catullus. The Smyrna was a short but exceptionally obscure and learned epic.

² See x. i. l.

³ Ch. ix.

⁴ Ch. iv.

⁵ i. 155.

⁶ The *Oeconomicus* of Xenophon, the *Protagoras* and *Timaeus* of Plato.

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utimur nostris. Figuras vero, quibus maxime ornatur oratio, multas ac varias excogitandi etiam necessitas quaedam est, quia plerumque a Graecis Romana dissentiunt.

- 4 Sed et illa ex Latinis conversio multum et ipsa contulerit. Ac de carminibus quidem neminem credo dubitare, quo solo genere exercitationis dicitur usus esse Sulpicius. Nam et sublimis spiritus attollere orationem potest, et verba poetica libertate audaciora non praesumunt eadem proprie dicendi facultatem. Sed et ipsis sententiis adiicere licet oratorium robur et omissa supplere, effusa sub-
- 5 stringere. Neque ego paraphrasim esse interpretationem tantum volo, sed circa eosdem sensus certamen atque aemulationem. Ideoque ab illis dissentio, qui vertere orationes Latinas vetant, quia optimis occupatis, quidquid aliter dixerimus, necesse sit esse deterius. Nam neque semper est desperandum, aliquid illis, quae dicta sunt, melius posse reperiri; neque adeo ieiunam ac pauperem naturam eloquentiam fecit, ut una de re bene dici nisi semel
- 6 non possit. Nisi forte histrionum multa circa voces easdem variare gestus potest, orandi minor vis, ut

¹ *I. e.* we shall not borrow from our models, as we do in paraphrasing Latin.

² *Lit.* "forestall the power of using the language of ordinary prose."

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dicatur aliquid, post quod in eadem materia nihil dicendum sit. Sed esto neque melius quod invenimus esse neque par: est certe proximis locus. An vero ipsi non bis ac saepius de eadem re dicimus et quidem continuas nonnunquam sententias? Nisi forte contendere nobiscum possumus, cum aliis non possumus. Nam si uno genere bene diceretur, fas erat existimari praeclusam nobis a prioribus viam; nunc vero innumerabiles sunt modi plurimaeque eodem viae ducunt. Sua brevitati gratia, sua copiae, alia translatis virtus alia propriis, hoc oratio recta illud figura declinata commendat. Ipsa denique utilissima est exercitationi difficultas. Quid, quod auctores maximi sic diligentius cognoscuntur? Non enim scripta lectione secura transcurrimus, sed tractamus singula et necessario introspicimus et, quantum virtutis habeant, vel hoc ipso cognoscimus, quod imitari non possumus.

9 Nec aliena tantum transferre sed etiam nostra pluribus modis tractare proderit, ut ex industria

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sumamus sententias quasdam easque versemus quam
numerosissime, velut eadem cera aliae aliaeque
10 formae duci solent. Plurimum autem parari facultatis
existimo ex simplicissima quaque materia. Nam illa
multiplici personarum, causarum, temporum, loco-
rum, dictorum, factorum diversitate facile delitescet
infirmas, tot se undique rebus, ex quibus aliquam
11 apprehendas, offerentibus. Illud virtutis indicium
est fundere quae natura contracta sunt, augere parva,
varietatem similibus, voluptatem expositis dare et
bene dicere multa de paucis.

In hoc optime facient infinitae quaestiones, quas
vocari *θέσεις* diximus, quibus Cicero iam princeps in
12 re publica exerceri solebat. His confinis est de-
structio et confirmatio sententiarum. Nam cum
sit sententia decretum quoddam atque praeceptum,
quod de re idem de iudicio rei quaeri potest. Tum
loci communes, quos etiam scriptos ab oratoribus
scimus. Nam qui haec recta tantum et in nullos
flexus recedentia copiose tractaverit, utique in illis

¹ See III. v. 5 *sqq.*

² *Ad Att.* IX. iv. 1.

³ See II. i. 9–11 and iv. 22.

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plures excursus recipientibus magis abundabit eritque
in omnes causas paratus. Omnes enim generalibus
13 quaestionibus constant. Nam quid interest, Cornelius tribunus plebis quod codicem legerit, reus sit,
an quaeramus, violeturne maiestas, si magistratus
rogationem suam populo ipse recitaverit; Milo Clodium rectene occiderit, veniat in iudicium, an,
oporteatne insidiatorem interfici vel perniciosum rei
publicae civem, etiamsi non insidiatur; Cato Marciam honestene tradiderit Hortensio, an, conveniatne
res talis bono viro? De personis iudicatur, sed de
14 rebus contenditur. Declamationes vero, quales in
scholis rhetorum dicuntur, si modo sunt ad veritatem
accommodatae et orationibus similes, non tantum
dum adolescit profectus sunt utilissimae, quia inventionem et dispositionem pariter exercent, sed
etiam cum est consummatus ac iam in foro clarus.
Alitur enim atque enitescit velut pabulo laetiore
facundia et adsidua contentionum asperitate fati-
15 gata renovatur. Quapropter historiae nonnunquam

¹ See IV. iv. 8; v. xiii. 26; VI. v. 10; VII. iii. 3, 35.

² profectus, *lit.* "progress," abstract for concrete.

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ubertas in aliqua exercendi stili parte ponenda et dialogorum libertate gestiendum. Ne carmine quidem ludere contrarium fuerit, sicut athletae, remissa quibusdam temporibus ciborum atque exercitationum certa necessitate, otio et iucundioribus epulis refi-
16 ciuntur. Ideoque mihi videtur M. Tullius tantum intulisse eloquentiae lumen, quod in hos quoque studiorum secessus excurrit. Nam si nobis sola materia fuerit ex litibus, necesse est deteratur fulgor et durescat articulus et ipse ille mucro ingenii cotidiana pugna retundatur.

17 Sed quemadmodum forensibus certaminibus exercitatos et quasi militantes reficit ac reparat haec velut sagina dicendi, sic adolescentes non debent nimium in falsa rerum imagine detineri et inanibus simulacris usque adeo, ut difficilis ab his digressus sit, assuescere,¹ ne ab illa, in qua prope consenuerunt, umbra vera discrimina velut quendam
18 solem reformident. Quod accidisse etiam M. Porcio Latroni, qui primus clari nominis professor fuit, traditur, ut, cum ei summam in scholis opinionem obtinenti causa in foro esset oranda, impense petierit, uti subsellia in basilicam transferrentur. Ita illi caelum novum fuit, ut omnis eius eloquentia

¹ assuescere, *Zumpt*: assuefacere, *MSS.*

QUINTILIAN

- 19 contineri tecto ac parietibus videretur. Quare iuvenis, qui rationem inveniendi eloquendique a praeceptoribus diligenter acceperit (quod non est infiniti operis, si docere sciant et velint), exercitationem quoque modicam fuerit consecutus, oratorem sibi aliquem, quod apud maiores fieri solebat, deligat, quem sequatur, quem imitetur; iudiciis intersit quam plurimis et sit certaminis, cui destinatur,
- 20 frequens spectator. Tum causas vel easdem, quas agi audierit, stilo et ipse componat, vel etiam alias veras modo et utrinque tractet, et, quod in gladiatoribus fieri videmus, decretoriis exerceatur, ut fecisse Brutum diximus pro Milone. Melius hoc quam rescribere veteribus orationibus, ut fecit Cestius contra Ciceronis actionem habitam pro eodem, cum alteram partem satis nosse non posset ex sola defensione.
- 21 Citius autem idoneus erit iuvenis, quem praeceptor coegerit in declamando quam simillimum esse veritati et per totas ire materias, quarum nunc facillima et maxime favorabilia decerpunt. Obstant huic, quod secundo loco posui, fere turba discipulorum et consuetudo classium certis diebus audiendarum, nonnihil

¹ See III. vi. 93; x. i. 23. ² *I.e.* "per totas ire materias."

QUINTILIAN

etiam persuasio patrum numerantium potius decla-
22 mationes quam aestimantium. Sed, quod dixi primo,
ut arbitror, libro, nec ille se bonus praeceptor maiore
numero quam sustinere possit onerabit et inanem
loquacitatem recidet, ut omnia quae sunt in con-
troversia, non, ut quidem volunt, quae in rerum
natura, dicantur; et vel longiore potius dierum
spatio laxabit dicendi necessitatem vel materias
23 dividere permittet. Una enim diligenter effecta
plus proderit quam plures inchoatae et quasi de-
gustatae. Propter quod accidit, ut nec suo loco
quidque ponatur, nec illa quae prima sunt servant
suam legem, iuvenibus flosculos omnium partium in
ea quae sunt dicturi congerentibus; quo fit, ut
timentes, ne sequentia perdant, priora confundant.

VI. Proxima stilo cogitatio est, quae et ipsa vires
ab hoc accipit, estque inter scribendi laborem ex-
temporalemque fortunam media quaedam et nescio
an usus frequentissimi. Nam scribere non ubique
nec semper possumus; cogitationi temporis ac loci
plurimum est. Haec paucis admodum horis magnas

¹ 1. ii. 15.

QUINTILIAN

etiam causas complectitur; haec, quotiens inter-
missus est somnus, ipsis noctis tenebris adiuvatur;
haec inter medios rerum actus aliquid invenit vacui
2 nec otium patitur. Neque vero rerum ordinem
modo, quod ipsum satis erat, intra se ipsa disponit,
sed verba etiam copulat totamque ita contextit
orationem, ut ei nihil praeter manum desit. Nam
memoriae quoque plerumque inhaerent fidelius,
quae nulla scribendi securitate laxantur.

Sed ne ad hanc quidem vim cogitandi perveniri
3 potest aut subito aut cito. Nam primum facienda
multo stilo forma est, quae nos etiam cogitantes
sequatur; tum adsumendus usus paulatim, ut pauca
primum complectamur animo, quae reddi fideliter
possint; mox per incrementa tam modica, ut onerari
se labor ille non sentiat, augenda vis et exercitatione
multa continenda est, quae quidem maxima ex parte
memoria constat. Ideoque aliqua mihi in illum
4 locum differenda sunt. Eo tandem¹ pervenit, ut is,
cui non refragetur ingenium, acri studio adiutus

¹ tandem, *Madvig*: tamen, *MSS.*

¹ XI. ii. 1 *sqq.*

QUINTILIAN

tantum consequatur, ut ei tam quae cogitarit quam quae scripserit atque edidicerit in dicendo fidem servant. Cicero certe Graecorum Metrodorum Scepsium et Empylum Rhodium nostrorumque Hortensium tradidit, quae cogitaverant, ad verbum in agendo retulisse.

- 5 Sed si forte aliquis inter dicendum effulserit extemporalis color, non superstitiose cogitatis demum est inhaerendum. Neque enim tantum habent curae, ut non sit dandus et fortunae locus, cum saepe etiam scriptis ea quae subito nata sunt inserantur. Ideoque totum hoc exercitationis genus ita insituendum est, ut et digredi ex eo et redire in id facile
- 6 possimus. Nam ut primum est domo adferre paratam dicendi copiam et certam, ita refutare temporis inunera longe stultissimum est. Quare cogitatio in hoc praeparetur, ut nos fortuna decipere non possit, adiuvare possit. Id autem fiet memoriae viribus, ut illa, quae complexi animo sumus, fluant secura, non sollicitos et respicientes et una spe suspensos recodationis non sinant providere. Alioqui vel extempora-lem temeritatem malo quam male cohaerentem
- 7 cogitationem. Peius enim quaeritur retrorsus, quia, dum illa desideramus, ab aliis avertimur, et ex

¹ A philosopher of the Academic school, contemporary with Cicero, *cp. de Or.* ii. 360.

² Empylus is not mentioned elsewhere.

³ *Cp. Brut.* 301.

QUINTILIAN

memoria potius res petimus quam ex materia. Plura sunt autem, si utrimque¹ quaerendum est, quae inveniri possunt quam quae inventa sunt.

VII. Maximus vero studiorum fructus est et velut praemium quoddam² amplissimum longi laboris ex tempore dicendi facultas, quam qui non erit consecutus, mea quidem sententia civilibus officiis renuntiabit et solam scribendi facultatem potius ad alia opera convertet. Vix enim bonae fidei viro convenit auxilium in publicum polliceri, quod praesentissimis quibusque periculis desit, intrare³ portum ad quem navis accedere nisi lenibus ventis vecta non possit, 2 siquidem innumerabiles accidunt subitae necessitates vel apud magistratus vel repraesentatis iudiciis continuo agendi. Quarum si qua, non dico cuicunque innocentium civium sed amicorum ac propinquorum alicui evenerit, stabitne mutus et salutarem petentibus vocem statimque, si non succurratur, perituris, moras et secessum et silentium quaeret, dum illa verba fabricentur et memoriae insidant et vox 3 ac latus praeparetur? Quae vero patitur hoc ratio,⁴ ut quisquam possit orator omittere aliquando casus? Quid, cum adversario respondendum erit, fiet? Nam saepe ea, quae opinati sumus et contra quae scrip-

¹ utrimque, *Bonnell*: utrumque, *MSS*.

² praemium quoddam, *cod. Harl. 4995*: primus quid, *B*.

³ intrare portum, *MSS*: instar portus, *Meister*.

⁴ ratio, *cod. Harl. 4995*: oratio, *B*. possit, *Frotscher*, *Bonnell*: sit, *MSS*. omittere, *Bonnell*: mittere, *B*.

QUINTILIAN

simus, fallunt, ac tota subito causa mutatur; atque ut gubernatori ad incursus tempestatum, sic agenti
4 ad varietatem causarum ratio mutando est. Quid porro multus stilus et adsidua lectio et longa studiorum aetas facit, si manet eadem quae fuit incipientibus difficultas? Perisse profecto confitendum est praeteritum laborem, cui semper idem laborandum est. Neque ego hoc ago ut ex tempore dicere malit, sed ut possit. Id autem maxime hoc modo consequemur.

- 5 Nota sit primum dicendi via. Neque enim prius contingere cursus potest quam scierimus, quo sit et qua perveniendum. Nec satis est non ignorare quae sunt causarum iudicialium partes, aut quaestionum ordinem recte disponere, quanquam ista sunt praecipua, sed quid quoque loco primum sit ac secundum et deinceps; quae ita sunt natura copulata, ut mutari aut intervelli sine confusione non possint.
- 6 Quisquis autem via dicet, ducetur¹ ante omnia rerum ipsa serie velut duce; propter quod homines etiam modice exercitati facillime tenorem in narrationibus servant. Deinde, quid quoque loco quaerant, scient. nec circumspiciant nec offerentibus se aliunde sensibus turbabuntur nec confundent ex diversis

¹ ducetur dicet, *Eussner*.

¹ See III. ix. 1.

QUINTILIAN

orationem velut salientes huc illuc nec usquam in-
7 sistentes. Postremo habebunt modum et finem,
qui esse citra divisionem nullus potest. Expletis
pro facultate omnibus quae proposuerint, pervenisse
se ad ultimum sentient.

Et haec quidem ex arte, illa vero ex studio: ut
copiam sermonis optimi, quemadmodum praeceptum
est, comparemus: multo ac fideli stilo sic formetur
oratio, ut scriptorum colorem etiam quae subito
effusa sint reddant, ut, cum multa scripserimus,
8 etiam multa dicamus. Nam consuetudo et exerci-
tatio facilitatem maxime parit; quae si paulum
intermissa fuerit, non velocitas illa modo tardatur,
sed ipsum os¹ coit atque concurrit. Quanquam enim
opus est naturali quadam inobilitate animi ut, dum
proxima dicimus, struere ulteriora possimus semper-
que nostram vocem provisa et formata cogitatio
9 excipiat, vix tamen aut natura aut ratio in tam
multiplex officium diducere animum queat, ut in-
ventioni, dispositioni, elocutioni, ordini rerum ver-
borumque, tum iis, quae dicit, quae subiuncturus est,
quae ultra spectanda sunt, adhibita vocis, pronuntia-

¹ os, *added by Halm.*

QUINTILIAN

10 tionis, gestus observatione, una sufficiat. Longe enim praecedat oportet intentio ac prae se res agat, quantumque dicendo consumitur, tantum ex ultimo prorogetur; ut, donec perveniamus ad finem, non minus prospectu procedamus quam gradu, si non intersistentes offensantesque brevia illa atque concisa singultantium modo eiecturi sumus.

11 Est igitur usus quidam irrationalis, quem Graeci *ἄλογον τριβήν* vocant, qua manus in scribendo decurrit, qua oculi totos simul in lectione versus flexusque eorum et transitus intuentur, et ante sequentia vident quam priora dixerunt. Quo constant miracula illa in scenis pilariorum ac ventilatorum, ut ea quae emisierint ultro venire in manus credas et qua iuben-

12 tur decurrere. Sed hic usus ita proderit, si ea de qua locuti sumus ars antecesserit, ut ipsum illud, quod in se rationem non habet, in ratione versetur.

Nam mihi ne dicere quidem videtur nisi qui dis-
13 posite, ornatè, copiose dicit, sed tumultuari. Nec fortuiti sermonis contextum mirabor unquam, quem iurgantibus etiam mulierculis superfluere video, cum

¹ §§ 5-7.

QUINTILIAN

- eo quod, si calor ac spiritus tulit, frequenter accidit ut successum extemporalem consequi cura non
 14 possit. Deum tunc adfuisse, cum id evenisset, veteres oratores, ut Cicero, dictitabant. Sed ratio manifesta est. Nam bene concepti adfectus et recentes rerum imagines continuo impetu feruntur, quae nonnunquam mora stili refrigescunt et dilatae non revertuntur. Utique vero, cum infelix illa verborum cavillatio accessit et cursus ad singula vestigia restitit, non potest ferri contorta vis, sed, ut optime vocum singularum cedat electio, non continua, sed composita est.
- 15 Quare capiendae sunt illae, de quibus dixi, rerum imagines, quas vocari *παντασίας* indicavimus, omniaque, de quibus dicturi erimus, personae, quaestiones, spes, metus habenda in oculis, in adfectus recipienda. Pectus est enim, quod disertos facit, et vis mentis. Ideoque imperitis quoque, si modo sint aliquo adfectu
 16 concitati, verba non desunt. Tum intendendus animus, non in aliquam rem unam, sed in plures simul continuas; ut, si per aliquam rectam viam mittamus oculos, simul omnia quae sunt in ea circaque intuemur, non ultimum tantum videmus sed usque ad ultimum. Addit ad dicendum etiam pudor stimulos,¹ mirumque videri potest, quod, cum
¹ *after* habet *cod. Monac.* *gives* et dicendorum expectata laus.

¹ No such saying is found in Cicero's extant works.
² VI. ii. 29.

QUINTILIAN

- stilus secreto gaudeat atque omnes arbitros reformidet, extemporalis actio auditorum frequentia, ut miles
- 17 congestu signorum, excitatur. Namque et difficiliorem cogitationem exprimit et expellit dicendi necessitas, et secundos impetus auget placendi cupido. Adeo pretium omnia spectant, ut eloquentia quoque, quanquam plurimum habeat in se voluptatis, maxime tamen praesenti fructu laudis
- 18 opinionisque ducatur. Nec quisquam tantum fidat ingenio, ut id sibi speret incipienti statim posse contingere, sed, sicut in cogitatione praecipimus, ita facilitatem quoque extemporalem a parvis initiis paulatim perducemus ad summam, quae neque perfici neque contineri nisi usu potest.
- 19 Ceterum pervenire eo debet, ut cogitatio non utique melior sit ea sed tutior, cum hanc facilitatem non prosa modo multi sint consecuti, sed etiam carmine, ut Antipater Sidonius et Licinius Archias (credendum enim Ciceroni est), non quia nostris quoque temporibus non et fecerint quidam hoc et faciant. Quod tamen non ipsum tam probabile puto, (neque enim habet aut usum res aut necessitatem) quam exhor-

¹ Ch. vi. 3.

² *De Or.* iii. 194; *Pro Arch.* viii. 18.

QUINTILIAN

tandis in hanc spem, qui foro praeparantur, utile
20 exemplum. Neque vero tanta esse unquam debet¹
fiducia facilitatis, ut non breve saltem tempus, quod
nusquam fere deerit, ad ea quae dicturi simus
dispicienda sumamus, quod quidem in iudiciis ac foro
datur semper. Neque enim quisquam est, qui causam
21 quam non didicerit agat. Declamatores quosdam
perversa ducit ambitio, ut exposita controversia
protinus dicere velint; quin etiam, quod est in
primis frivolum ac scenicum, verbum petant, quo
incipiant. Sed tam contumeliosos in se ridet invi-
cem eloquentia, et qui stultis videri eruditi volunt,
22 stulti eruditis videntur. Si qua tamen fortuna
tam subitam fecerit agendi necessitatem, mobiliore
quodam opus erit ingenio, et vis omnis intendenda
rebus, et in praesentia remittendum aliquid ex cura
verborum, si consequi² utrumque non dabitur. Tum
et tardior pronuntiatio moras habet et suspensa ac
velut dubitans oratio, ut tamen deliberare, non
23 haesitare videamur. Hoc, dum egredimur e portu,
si nos nondum aptatis satis armamentis aget ventus;
deinde paulatim simul euntes aptabimus vela et
disponemus rudentes et impleri sinus optabimus.

¹ debet, *added by Herzog.*

² consequi, *added by Spalding*: non sequi, *2nd. hand of*
cod. Bamb.

QUINTILIAN

Id potius quam se inani verborum torrenti dare quasi tempestatibus quo volent auferendum.

- 24 Sed non minore studio continetur haec facultas quam paratur. Ars enim semel percepta non labitur,¹ stilus quoque intermissione paulum admodum de celeritate deperdit; promptum hoc et in expedito positum exercitatione sola continetur. Hac uti sic optimum est, ut cotidie dicamus audientibus pluribus, maxime de quorum simus iudicio atque opinione solliciti; rarum est enim ut satis se quisque vereatur.
- 25 Vel soli tamen dicamus potius quam omnino non dicamus. Est et² illa exercitatio cogitandi totasque materias vel silentio (dum tamen quasi dicat intra se ipsum) persecuendi, quae nullo non et tempore et loco, quando non aliud agimus, explicari potest, et
- 26 est in parte utilior³ quam haec proxima. Diligentius enim componitur quam illa, in qua contextum dicendi intermittere veremur. Rursus in alia plus prior confert, vocis firmitatem, oris facilitatem, motum corporis, qui et ipse, ut dixi, excitat oratorem et iactatione manus, pedis suppletionem, sicut cauda leones facere dicuntur, hortatur. Studendum vero
- 27 semper et ubique. Neque enim fere tam est ullus dies occupatus, ut nihil lucrativae, ut Cicero Brutum

¹ labitur, *ed. Gryph*: capitur, *MSS.*

² et, *added by Spalding.*

³ utilior, *early edd.*: utilitatis, *B.*

¹ Ch. iii. 21.

² Or. 34.

QUINTILIAN

- facere tradit, operae ad scribendum aut legendum¹ aut dicendum rapi aliquo momento temporis possit; siquidem C. Carbo etiam in tabernaculo solebat hac
 28 uti exercitatione dicendi. Ne id quidem tacendum, quod eidem Ciceroni placet, nullum nostrum usquam negligentem esse sermonem; quidquid loquemur ubicunque, sit pro sua scilicet portione perfectum. Scribendum certe nunquam est magis, quam cum multa dicemus ex tempore. Ita enim servabitur pondus, et innatans² illa verborum facilitas in altum reducetur; sicut rustici proximas vitis radices amputant, quae illam in summum solum ducunt, ut inferi-
 29 ores penitus descendendo firmentur. Ac nescio an, si³ utrumque cum cura et studio fecerimus, invicem prosit, ut scribendo dicamus diligentius, dicendo scribamus facilius. Scribendum ergo, quotiens licebit; si id non dabitur, cogitandum; ab utroque exclusi debent tamen sic dicere,⁴ ut neque deprehensus orator neque litigator destitutus esse videatur.
 30 Plerumque autem multa agentibus accidit, ut maxime necessaria et utique initia scribant, cetera quae domo adferunt cogitatione complectantur, subitis ex tempore occurrant; quod fecisse M. Tullium commentariis ipsius apparet. Sed feruntur aliorum quoque et inventi forte, ut eos dicturus quisque

¹ aut legendum, *2nd. hand of cod. Bamb. : omitted by B.*

² innatans, *Stoer : unatrans, B.*

³ si added by ed. *Camp.*

⁴ sic dicere, *Peterson : inicere, B.*

¹ A supporter of Tib. Gracchus, who went over to the senatorial party and was consul 120 B.C. Committed suicide in the following year. Cicero praises his eloquence and industry; cp. *Brut.* 103-5, *de Or.* I. § 154.

² There is no trace of this.

QUINTILIAN

composuerat, et in libros digesti, ut causarum quae sunt actae a Ser. Sulpicio, cuius tres orationes extant; sed hi de quibus loquor commentarii ita sunt exacti, ut ab ipso mihi in memoriam posteritatis videantur
31 esse compositi. Nam Ciceronis ad praesens modo tempus aptatos libertus Tiro contraxit; quos non ideo excuso, quia non probem, sed ut sint magis admirabiles. In hoc genere prorsus recipio hanc brevem adnotationem libellosque, qui vel manu tene-
32 antur, et ad quos interim respicere fas sit. Illud quod Laenas praecipit displicet mihi, vel in his quae scripserimus velut¹ summas in commentarium et capita conferre. Facit enim ediscendi negligentiam haec ipsa fiducia et lacerat ac deformat orationem. Ego autem ne scribendum quidem puto, quod non² simus memoria persecuturi. Nam hic quoque accidit, ut revocet nos cogitatio ad illa elaborata nec sinat
33 praesentem fortunam experiri. Sic anceps inter utrumque animus aestuat, cum et scripta perdidit et non quaerit nova. Sed de memoria destinatus est libro proximo locus nec huic parti subiungendus, quia sunt alia prius nobis dicenda.

¹ vel in his, *Bonnell*: ne in his, *B.* velut, *Halm*: vel in, *B.*

² non, *added by Regius.*

¹ Or perhaps "abbreviated." Tiro was Cicero's friend, freedman and secretary.

LIBER XI

I. PARATA, sicut superiore libro continetur, facultate scribendi cogitandique et ex tempore etiam, cum res poscet, orandi, proxima est cura, ut dicamus apte; quam virtutem quartam elocutionis Cicero demonstrat, quaeque est meo quidem iudicio maxime
2 necessaria. Nam cum sit ornatus orationis varius et multiplex conveniatque alius alii, nisi fuerit accommodatus rebus atque personis, non modo non illustrabit eam, sed etiam destruet et vim rerum in contrarium vertet. Quid enim prodest, esse verba et Latina et significantia et nitida, figuris etiam numerisque elaborata, nisi cum iis, in quae iudicem
3 duci formarique volumus, consentiant, si genus sublime dicendi parvis in causis, parvum limatumque grandibus, laetum tristibus, lene asperis, minax supplicibus, summis concitatis, trux atque violentum iucundis adhibeamus? ut monilibus et margaritis ac veste longa, quae sunt ornamenta feminarum, deformentur viri, nec habitus triumphalis, quo nihil

¹ *De Or.* III. x. 37.

QUINTILIAN

- 4 excogitari potest augustius, feminas deceat. Hunc locum Cicero breviter in tertio de Oratore libro perstringit, neque tamen videri potest quidquam omisisse dicendo, *non omni causae neque auditori neque personae neque tempori congruere orationis unum genus*. Nec fere pluribus in Oratore eadem. Sed illic L. Crassus, cum apud summos oratores hominesque eruditissimos dicat, satis habet partem hanc velut
- 5 notare inter agnoscentes; et hic Cicero adloquens Brutum testatur esse haec ei nota ideoque brevius a se dici, quanquam sit fusus locus tracteturque a philosophis latius. Nos institutionem professi non solum scientibus ista, sed etiam discentibus tradimus, ideoque paulo pluribus verbis debet haberi venia.
- 6 Quare notum sit nobis ante omnia, quid conciliando, docendo, movendo iudici conveniat, quid quaque parte orationis petamus. Ita nec vetera aut translata aut ficta verba in incipiendo, narrando, argumentando tractabimus neque decurrentes contexto nitore circuitus, ubi dividenda erit causa et in partes suas digerenda, neque humile atque cotidianum sermonis genus et compositione ipsa dissolutum epilogis dabi-

¹ III. lv. 210.

² Ch. xxi. *sqq.*

QUINTILIAN

- mus, nec iocis lacrimas, ubi opus erit miseratione,
7 siccabimus. Nam ornatus omnis non tam sua quam
rei, cui adhibetur, condicione constat; nec plus
refert, quid dicas quam quo loco. Sed totum hoc
apte dicere non elocutionis tantum genere constat,
sed est cum inventione commune. Nam si tantum
habent etiam verba momentum, quanto res ipsae
magis? Quarum quae esset observatio, suis locis
subinde subiecimus.
- 8 Illud est diligentius docendum, eum demum dicere
apte, qui non solum quid expediat, sed etiam quid
deceat inspexerit. Nec me fugit, plerumque haec
esse coniuncta. Nam quod decet, fere prodest, neque
alio magis animi iudicum conciliari aut, si res in
9 contrarium tulit, alienari solent. Aliquando tamen
et haec dissentiunt. Quotiens autem pugnabunt,
ipsam utilitatem vincet quod decet. Nam quis nescit,
nihil magis profuturum ad absolutionem Socrati fuisse,
quam si esset, usus illo iudiciali genere defensionis
et oratione summissa conciliasset iudicum animos sibi
10 crimenque ipsum sollicitè redarguisset? Verum id
eum minime decebat; ideoque sic egit, ut qui poenam
158

QUINTILIAN

- suam honoribus summis esset aestimaturus. Maluit enim vir sapientissimus, quod superesset ex vita, sibi perire, quam quod praeterisset. Et quando ab hominibus sui temporis parum intelligebatur, posteriorum se iudiciis reservavit, brevi detrimento iam ultimae senectutis aevum saeculorum omnium con-
- 11 secutus. Itaque quamvis Lysias, qui tum in dicendo praestantissimus habebatur, defensionem illi scriptam obtulisset, uti ea noluit, cum bonam quidem, sed parum sibi convenientem iudicavisset. Quo vel solo patet non persuadendi sed bene dicendi finem in oratore servandum, cum interim persuadere deforme sit. Non fuit hoc utile absolutioni, sed, quod est
- 12 maius, homini fuit. Et nos secundum communem potius loquendi consuetudinem quam ipsam veritatis regulam divisione hac utimur, ut ab eo, quod deceat, utilitatem separemus; nisi forte prior ille Africanus, qui patria cedere quam cum tribuno plebis humillimo contendere de innocentia sua maluit, inutiliter sibi videtur consuluisse; aut P. Rutilius, vel cum illo paene Socratico genere defensionis est usus, vel cum revocante eum P. Sulla manere in exilio maluit, quid
- 13 sibi maxime conducere, nesciebat. Hi vero parva illa, quae abiectissimus quisque animus utilia credit, si

¹ Falsely accused of having taken a bribe from King Antiochus. See *Livy*, xxxviii. li. 56

² See *de Or.* i. liii. 227 *sqq.*

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cum virtute conferantur despicienda iudicaverunt, ideoque perpetua saeculorum admiratione celebrantur.

Neque nos simus tam humiles, ut quae laudamus
14 inutilia credamus. Sed hoc qualecunque discrimen
raro admodum eveniet: idem fere, ut dixi, in omni
genere causarum et proderit et decebit. Est autem,
quod omnes et semper et ubique deceat, facere ac ¹
dicere honeste, contraque neminem unquam ullo in
loco turpiter. Minora vero quaeque sunt ex mediis
plerumque sunt talia, ut aliis sint concedenda, aliis
non sint, aut pro persona, tempore, loco, causa magis
ac minus vel excusata debeant videri vel repre-
15 hendenda. Cum dicamus autem de rebus aut alienis
aut nostris, dividenda ratio est eorum, dum sciamus
pleraque neutro loco convenire.

In primis igitur omnis vitiosa iactatio est, elo-
quentiae tamen in oratore praecipue, adfertque
audientibus non fastidium modo, sed plerumque
16 etiam odium. Habet enim mens nostra sublime
quiddam et erectum et impatiens superioris; ideoque
abiectos aut summittentes se libenter allevamus, quia

¹ deceat facere ac, *2nd hand of cod. Bamb.*: persuadere
ac, *B*: deceat ac, *cod. Mon.*

QUINTILIAN

hoc facere tanquam maiores videmur; et quotiens discessit aemulatio, succedit humanitas. At qui se supra modum extollit, premere ac despicere creditur, nec tam se maiorem quam minores ceteros facere.

- 17 Inde invident humiliores, (hoc vitium est eorum, qui nec cedere volunt nec possunt contendere) rident superiores, improbant boni. Plerumque vere deprehendas arrogantium falsum de se opinionem; sed in veris quoque sufficit conscientia.

Reprehensus est in hac parte non mediocriter Cicero, quanquam is quidem rerum a se gestarum maior quam eloquentiae fuit in orationibus utique
18 iactor. Et plerumque illud quoque non sine aliqua ratione fecit. Aut enim tuebatur eos, quibus erat adiutoribus usus in opprimenda coniuratione, aut respondebat invidiae (cui tamen non fuit par, servatae patriae poenam passus exilium), ut illorum, quae egerat in consulatu, frequens commemoratio possit videri non gloriae magis quam defensioni data.

- 19 Eloquentiam quidem, cum plenissimam diversae partis advocatis concederet, sibi nunquam in agendo immodice arrogavit. Illius sunt enim: *Si quid est ingenii in me, quod sentio quam sit exiguum, et, Quo ingenio*

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- 20 *minus possum, subsidium mihi diligentia comparavi.* Quin etiam contra Q. Caecilium de accusatore in Verrem constituendo, quamvis multum esset in hoc quoque momenti, uter ad agendum magis idoneus veniret, dicendi tamen facultatem magis illi detraxit quam arrogavit sibi, seque non consecutum, sed omnia
- 21 *fecisse, ut posset eam consequi, dixit.* In epistolis aliquando familiariter apud amicos, nonnunquam in dialogis aliena tamen persona verum de eloquentia sua dicit. Et aperte tamen gloriari nescio an sit magis tolerabile vel ipsa vitii huius simplicitate, quam illa iactatio perversa, si abundans opibus pauperem se neget, nobilis obscurum et potens infirmum et
- 22 disertus imperitum plane et infantem vocet. Ambitiosissimum gloriandi genus est etiam deridere. Ab aliis ergo laudemur; nam ipsos, ut Demosthenes ait, *erubescere, etiam cum ab aliis laudabimur, decet.* Neque hoc dico, non aliquando de rebus a se gestis oratori esse dicendum, sicut eidem Demostheni pro Ctesiphonte; quod tamen ita emendavit, ut necessitatem id faciendi ostenderet invidiamque omnem in eum
- 23 regereret, qui hoc se coegisset. Et M. Tullius saepe dicit de oppressa coniuratione Catilinae; sed modo

¹ *Pro Arch.* i. 1.

³ *Div. in Cacc.* xii. 40.

² *Pro Quint.* i. 4.

⁴ *De Cor.* 128.

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id virtuti senatus, modo providentiae deorum immortalium adsignat. Plerumque contra inimicos atque obtrectatores plus vindicat sibi. Erant enim
 24 illa tuenda,¹ cum obiicerentur. In carminibus utinam pepercisset, quae non desierunt carpere maligni :

*Cedant arma togae, concedat laurea linguae ;*²

et

O fortunatam natam me consule Romam ;

et *Iovem illum, a quo in concilium deorum advocatur ;*
 et *Minervam, quae artes eum edocuit ;* quae sibi ille secutus quaedam Graecorum exempla permiserat.

25 Verum eloquentiae ut indecora iactatio, ita nonnunquam concedenda fiducia est. Nam quis reprehendat haec : *Quid putem ? contemptumne me ? Non video nec in vita nec in gratia nec in rebus gestis nec in hac mea mediocritate ingenii, quid despiciere possit*
 26 *Antonius ?* Et paulo post apertius : *An decertare mecum voluit contentione dicendi ? Hoc quidem est beneficium. Quid enim plenius, quid uberius quam mihi et pro me et contra Antonium dicere ?*

27 Arrogantes et illi, qui se iudicasse de causa nec

¹ illa tuenda, *Halm* : intuenda, *B*.

² linguae, *B* : laudi, *vulgo*.

¹ From the poem on his consulship.

² *Phil.* II. i. 2.

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aliter adfuturos fuisse proponunt. Nam et inviti iudices audiunt praesumentem partes suas, nec hoc oratori contingere inter adversarios quod Pythagorae inter discipulos potest *Ipse dixit*. Sed istud magis minusve vitiosum est pro personis dicentium.

- 28 Defenditur enim aliquatenus aetate, dignitate, auctoritate; quae tamen vix in ullo tanta fuerint, ut non hoc adfirmationis genus temperandum sit aliqua moderatione sicut omnia, in quibus patronus argumentum ex se ipso petet. Quid fuisset tumidius, si accipiendum criminis loco negasset Cicero equitis Romani esse filium, se defendente? At ille fecit hoc etiam favorabile coniungendo cum iudicibus dignitatem suam: *Equitis autem Romani esse filium, criminis loco poni ab accusatoribus, neque vobis iudicantibus oportuit neque defendentibus nobis.*

- 29 Impudens, tumultuosa, iracunda actio omnibus indecora, sed ut quisque aetate, dignitate, usu praecedit, magis in ea reprehendendus. Videas autem rixatores quosdam neque iudicum reverentia neque agendi more ac modo contineri, quo ipso mentis

¹ *Pro Cacl.* ii. 4.

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- habitu manifestum sit, tam in suscipiendis quam in
30 agendis causis nihil pensi habere. Profert enim
mores plerumque oratio et animi secreta detegit.
Nec sine causa Graeci prodiderunt, ut vivat, quemque
etiam dicere. Humiliora illa vitia: summissa adulatio,
adfectata scurrilitas, in rebus ac verbis parum modestis
ac pudicis vilis pudor, in omni negotio neglecta
auctoritas; quae fere accidunt iis, qui nimium aut
blandi esse aut ridiculi volunt.
- 31 Ipsum etiam eloquentiae genus alios aliud decet.
Nam neque tam plenum et erectum et audax et
praecultum senibus convenerit quam pressum et
mite et limatum et quale intelligi vult Cicero, cum
dicit, orationem suam coepisse *canescere*; sicut
vestibus quoque non purpura coccoque fulgentibus
32 illa aetas satis apta sit. In iuvenibus etiam ube-
riora paulo et paene periclitantia feruntur. At in
iisdem siccum et sollicitum et contractum dicendi
propositum plerumque adfectione ipsa severitatis
invisum est, quando etiam morum senilis auctoritas
immatura in adolescentibus creditur. Simpliciora
33 militares decent. Philosophiam ex professo, ut
quidam faciunt, ostentantibus parum decori sunt
plerique orationis ornatus maximeque ex adfectionibus,
quos illi vitia dicunt. Verba quoque exquisitiora et
34 compositio numerosa tali proposito diversa. Non

¹ *Brut.* ii. 8.

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enim sola illa laetiora, qualia a Cicerone dicuntur, *Saxa atque solitudines voci respondent*; sed etiam illa, quanquam plena sanguinis, *Vos enim iam, Albani tumuli atque luci, vos, inquam, imploro atque testor, vosque, Albanorum obrutae arae, sacrorum populi Romani sociae et aequales*, non conveniant barbae illi
 35 atque tristitiae. At vir civilis vereque sapiens, qui se non otiosis disputationibus, sed administrationi rei publicae dediderit, a qua longissime isti, qui philosophi vocantur, recesserunt, omnia, quae ad efficiendum oratione quod proposuerit valent, libenter adhibebit, cum prius quid honestum sit efficere in
 36 animo suo constituerit. Est quod principes deceat, aliis non concesseris. Imperatorum ac triumphalium separata est aliqua ex parte ratio eloquentiae, sicut Pompeius abunde disertus rerum suarum narrator, et hic, qui bello civili se interfecit, Cato eloquens
 37 senator fuit. Idem dictum saepe in alio liberum, in alio furiosum, in alio superbum est. Verba adversus Agamemnonem a Thersite habita ridentur; da illa Diomedii aliive cui pari: magnum animum ferre prae se videbuntur. *Ego te consulem putem*, inquit L. Crassus Philippo, *cum tu me non putes senatorem?*

¹ *Pro Arch.* viii. 19.

² *Il.* ii. 225.

³ *Pro Mil.* xxxi. 85.

⁴ *De Or.* iii. 1.

QUINTILIAN

- Vox honestissimae libertatis; non tamen ferres
 38 quemcunque dicentem. Negat se magni facere
 aliquis poetarum, *utrum Caesar ater an albus homo*
sit, insania; verte, ut idem Caesar de illo dixerit,
 arrogantia est. Maior in personis observatio est
 apud tragicos comicosque, multis enim utuntur et
 variis. Eadem et eorum, qui orationes aliis scribe-
 bant, fuit ratio et declamantium est; non enim
 semper ut advocati sed plerumque ut litigatores
 dicimus.
- 39 Verum etiam in iis causis, quibus advocamur,
 eadem differentia diligenter est custodienda. Utimur
 enim fictione personarum et velut ore alieno loqui-
 mur, dandique sunt iis, quibus vocem accommodamus,
 sui mores. Aliter enim P. Clodius, aliter Appius
 Caecus, aliter Caecilianus ille, aliter Terentianus
 pater fingitur. Quid asperius lictore Verris: *Ut*
 40 *adeas, tantum dabis?* Quid fortius illo, cuius inter
 ipsa verberum supplicia una vox audiebatur: *Civis*
Romanus sum? Quam dignae Milonis in peroratione
 ipsa voces eo viro, qui pro re publica seditiosum
 civem totiens compescuisset quique insidias virtute
 41 superasset? Denique non modo quot in causa

¹ *Cat.* 93.

² *Cp.* II. xv. 30; III. viii. 51.

³ Clodius, the unscrupulous enemy of Cicero. Appius Caecus, his ancestor, the great senator, who secured the rejection of the terms of Pyrrhus.

⁴ See *Pro Cael.* xvi.

⁵ *I. e.* to visit a relative in prison, *Verr.* v. xlv. 118; *cp. Quint.* ix. iv. 71.

⁶ *Verr.* v. lxii. 162.

⁷ *Cp.* iv. ii. 25; vi. v. 10.

QUINTILIAN

- totidem in prosopopoeia sunt varietates, sed hoc etiam plures, quod in his puerorum, feminarum, populorum, mutarum etiam rerum assimilamus
- 42 adfectus, quibus omnibus debetur suus decor. Eadem in iis, pro quibus agemus, observanda sunt; aliter enim pro alio saepe dicendum est, ut quisque honestus, humilis, invidiosus, favorabilis erit, adiecta propositorum quoque et anteactae vitae differentia. Lucundissima vero in oratore humanitas, facilitas, moderatio, benivolentia. Sed illa quoque diversa bonum virum decent: malos odisse, publica vice commoveri, ultum ire scelera et iniurias, et omnia, ut initio dixi, honesta.
- 43 Nec tantum, quis et pro quo sed etiam apud quem dicas, interest. Facit enim et fortuna discrimen et potestas, nec eadem apud principem, magistratum, senatorem, privatum, tantum liberum ratio est, nec eodem sono publica iudicia et arbitrorum discepta-
- 44 tiones aguntur. Nam ut orantem pro capite sollicitudo deceat et cura et omnes ad amplificandam orationem quasi machinae, ita in parvis rebus

¹ See § 14.

QUINTILIAN

- iudiciisque vana sint eadem, rideaturque merito, qui apud disceptatorem de re levissima sedens dicturus utatur illa Ciceronis confessione, *non modo se animo commoveri, sed etiam corpore ipso perhorrescere.*
- 45 Quis vero nesciat, quanto aliud dicendi genus poscat gravitas senatoria, aliud aura popularis? cum etiam singulis iudicantibus non idem apud graves viros quod leviores, non idem apud eruditum quod militarem ac rusticum deceat, sitque nonnunquam summittenda et contrahenda oratio, ne iudex eam vel intelligere vel capere non possit.
- 46 Tempus quoque ac locus egent observatione propria. Nam et tempus tum triste, tum laetum, tum liberum, tum angustum est, atque ad haec
- 47 omnia componendus orator; et loco publico privato, celebri an secreto, aliena civitate an tua, in castris denique an foro dicas, interest plurimum, ac suam quidque formam et proprium quandam modum eloquentiae poscit: cum etiam in ceteris actibus vitae non idem in foro, curia, campo, theatro, domi facere

¹ *Div. in Caec. xiii. 41.*

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conveniat ; et pleraque, quae natura non sunt reprehendenda atque adeo¹ interim sunt necessaria, alibi
48 quam mos permiserit turpia habeantur. Illud iam diximus, quanto plus nitoris et cultus demonstrativae materiae, ut ad delectationem audientium compositae, quam, quae sunt in actu et contentione, suasoriae iudicialesque permittant.

Hoc adhuc adiciendum aliquas etiam, quae sunt egregiae dicendi virtutes, quo minus deceant, effici
49 condicione causarum. An quisquam tulerit reum in discrimine capitis, praecipueque si apud victorem et principem pro se ipse dicat, frequenti translatione, fictis aut repetitis ex vetustate verbis, compositione quae sit maxime a vulgari usu remota, decurrentibus periodis, quam laetissimis locis sententiisque dicentem? Non perdant haec omnia necessarium periclitanti sollicitudinis colorem, petendumque etiam
50 innocentibus misericordiae auxilium? Moveaturne quisquam eius fortuna, quem tumidum ac sui iactantem et ambitiosum institorem eloquentiae in ancipiti sorte videat? Non immo oderit reum verba occupantem et anxium de fama ingenii, et cui esse
51 diserto vacet? Quod mire M. Caelius in defen-

¹ adeo, *Gesner* : ideo, *B*.

¹ VIII. iii. 11 *sq.*

QUINTILIAN

- sione causae, qua reus de vi fuit, comprehendisse videtur mihi: *Ne cui vestrum atque etiam omnium, qui ad rem agendam adsunt, meus aut vultus molestior aut vox immoderatio aliqua aut denique, quod minimum est,*
- 52 *iactantiôr gestus fuisse videatur.* Atqui sunt quaedam actiones in satisfactione, deprecatione, confessione positae: sententiolisne flendum erit? epiphonemata aut enthymemata exorabunt? Non, quidquid meris adicietur adfectibus, omnes eorum diluet vires et
- 53 miserationem securitate laxabit? Age, si de morte filii sui vel iniuria, quae morte sit gravior, dicendum patri fuerit, aut in narrando gratiam illam expositionis, quae continget ex sermone puro atque dilucido, quaeret, breviter ac significanter ordinem rei protulisse contentus, aut argumenta diducet in digitos et propositionum ac partitionum captabit leporem et, ut plerumque in hoc genere moris est, intentione
- 54 omni remissa loquetur? Quo fugerit interim dolor ille? ubi lacrimae substiterint? unde se in medium tam securo observatio artium miserit? Non ab exordio usque ad ultimam vocem continuus quidam gemitus et idem tristitiae vultus servabitur, si quidem volet dolorem suum etiam in audientes transfundere? quem si usquam remiserit, in animum iudicantium

¹ A form of syllogism. See v. xiv. l.

² See VIII. v. 11. "An exclamation attached to the close of a statement or a proof by way of climax."

QUINTILIAN

- 55 non reducet. Quod praecipue declamantibus (neque enim me paenitet ad hoc quoque opus meum et curam susceptorum semel adolescentium respicere) custodiendum est, quo plures in schola finguntur adfectus, quos non ut advocati, sed ut passi subimus.
- 56 Cum etiam hoc genus simulari litium soleat, cum ius mortis a senatu quidam ob aliquam magnam infelicitatem vel etiam paenitentiam petunt, in quibus non solum cantare, quod vitium pervasit, aut lascivire, sed ne argumentari quidem nisi mixtis, et quidem ita ut ipsa probatione magis emineant, adfectibus decet. Nam qui intermittere in agendo dolorem potest, videtur posse etiam deponere.
- 57 Nescio tamen an huius, de quo loquimur, decoris custodia maxime circa eos, contra quos dicimus, examinanda sit. Nam sine dubio in omnibus statim accusationibus hoc agendum est, ne ad eas libenter descendisse videamur. Ideoque mihi illud Cassii Severi non mediocriter displicet: *Di boni, vivo ; et,*

¹ VII. iv. 39. It is said that poison was provided by the state of Massilia to serve the turn of such unhappy persons, so soon as they could convince the local senate that their proposed suicide was justifiable.

² *Cp.* I. viii. 2.

³ *Cp.* X. i. 22. In 9 B.C. he accused Nonius Asprenas, a friend of Augustus, of the crime of poisoning. Asprenas was defended by Pollio, and supported by Augustus during his trial.

QUINTILIAN

quo me vivere iuuet, Asprenatem reum video. Non enim iusta ex causa vel necessaria videri potest postulasse
58 eum, sed quadam accusandi voluptate. Praeter hoc tamen, quod est commune, propriam moderationem quaedam causae desiderant. Quapropter et, qui curationem bonorum patris postulabit, doleat eius valetudinem; et quamlibet gravia filio pater obiecturus misserrimam sibi ostendat esse hanc ipsam necessitatem, nec hoc paucis modo verbis, sed toto colore actionis, ut id eum non dicere modo, sed
59 etiam vere dicere appareat. Nec causanti pupillo sic tutor irascatur unquam, ut non remaneant amoris vestigia et sacra quaedam patris eius memoria. Iam quomodo contra abdicantem patrem, querentem uxorem, agi causam oporteret, in libro, ut arbitror, septimo dixi. Quando etiam ipsos loqui, quando advocati voce uti deceat, quartus liber, in quo prooemii praecepta sunt, continet.

60 Esse et in verbis quod deceat aut turpe sit, nemini dubium est. Unum iam igitur huic loco, quod est sane summae difficultatis, adiiciendum

¹ The imagined case would be as follows. The father disinherits the son for an alleged offence. The son accuses the father of madness and demands a curator, etc.

² VII. iv. 24.

³ IV. i. 46.

QUINTILIAN

- videtur, quibus modis ea, quae sunt natura parum speciosa quaeque non dicere, si utrumlibet esset liberum, maluissemus, non tamen sint indecora dicentibus. Quid asperiores habere frontem potest aut quid aures hominum magis respuunt, quam cum est filio filiivae advocatis in matrem perorandum? Aliquando tamen necesse est, ut in causa Cluentii Habiti. Sed non semper illa via, qua contra Sasiam Cicero usus est; non quia non ille optime, sed quia plurimum refert, qua in re et quo modo laedat.
- Itaque illa, cum filii caput palam impugnaret, fortiter fuit repellenda. Duo tamen, quae sola supererant, divinae Cicero servavit, primum, ne oblivisceretur reverentiae, quae parentibus debetur; deinde ut, repetitis altius causis, diligentissime ostenderet, quam id, quod erat in matrem dicturus, non oporteret modo fieri, sed etiam necesse esset.
- Primaque haec expositio fuit, quanquam ad praesentem quaestionem nihil pertinebat. Adeo in causa difficili atque perplexa nihil prius intuendum credidit quam quid deceret. Fecit itaque nomen parentis non filio invidiosum, sed ipsi in quam dicebatur.
- Potest tamen aliquando mater et in re leviori aut

¹ See *pro Clu.* lxi. 169 *sqq.* Sasias was Cluentius' mother.

² *pro Clu.* vi. 17.

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minus infeste contra filium stare; tum lenior atque
summissior decebit oratio. Nam et satisfaciendo aut
nostram minuemus invidiam aut etiam in diversum
eam transferemus; et si graviter dolere filium palam
fuerit, credetur abesse ab eo culpam fietque ultro
65 miserabilis. Avertere quoque in alios crimen decet,
ut fraude aliquorum concita credatur, et omnia nos
passuros, nihil aspere dicturos testandum, ut, etiamsi
non possumus non conviciari, nolle videamur. Etiam,
si quid obiiciendum erit, officium est patroni, ut id
filio invito, sed fide cogente facere credatur. Ita
66 poterit uterque laudari. Quod de matre dixi, de
utroque parente accipiendum est; nam inter patres
etiam filiosque, cum intervenisset emancipatio, liti-
gatum scio. In aliis quoque propinquitatibus custo-
diendum est, ut inviti et necessario et parce iudicemur
dixisse, magis autem aut minus, ut cuique personae
debetur reverentia. / Eadem pro libertis adversus
patronos observantia. > Et ut semel plura complectar,

¹ *I.e.* from the *patria potestas* by a fictitious form of sale.

QUINTILIAN

nunquam decebit sic adversus tales agere personas,
quomodo contra nos agi ab hominibus condicionis
67 eiusdem iniquo animo tulissemus. Praestatur hoc
aliquando etiam dignationibus, ut libertatis nostrae
ratio reddatur, ne quis nos aut petulantes in lae-
dendis eis aut etiam ambitiosos putet. Itaque
Cicero, quanquam erat in Cottam gravissime dicturus,
neque aliter agi P. Oppii causa poterat, longa tamen
68 praefatione excusavit officii sui necessitatem. Ali-
quando etiam inferioribus praecipueque adolescentulis
parcere aut videri decet. Utitur hac moderatione
Cicero pro Caelio contra Atratinum, ut eum non
inimice corripere, sed paene patrie monere videatur.
Nam et nobilis et iuvenis et non iniusto dolore
venerat ad accusandum.

Sed in his quidem, in quibus vel iudici vel etiam
adsistentibus ratio nostrae moderationis probari
debet, minor est labor; illic plus difficultatis, ubi
69 ipsos, contra quos dicimus, veremur offendere. Duae
simul huiusmodi personae Ciceroni pro Murena di-
centi obstiterunt, M. Catonis Serviique Sulpicii.
Quam decenter tamen Sulpicio, cum omnes con-
cessisset virtutes, scientiam petendi consulatus

¹ Cp. v. xiii. 20. P. Oppius, quaestor to M. Aurelius Cotta in Bithynia, was charged by Cotta in a letter to the Senate with misappropriation of supplies for his troops and with an attempt on his life. The speech in which Cicero defended Oppius (69 B.C.) is lost.

² See opening sections of *pro Caelio*.

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ademit? Quid enim aliud esset, quo se victum
homo nobilis et iuris antistes magis ferret? Ut
vero rationem defensionis suae reddidit, cum se
studuisse petitioni Sulpicii contra honorem Murenae,
70 non idem debere accusationi contra caput diceret!
Quam molli autem articulo tractavit Catonem!
Cuius naturam summe admiratus non ipsius vitio,
sed Stoicae sectae quibusdam in rebus factam du-
riorem videri volebat; ut inter eos non forensem
contentionem, sed studiosam disputationem crederes
71 incidisse. Haec est profecto ratio et certissimum
praeceptorum genus illius viri observatio, ut, cum
aliquid detrahere salva gratia velis, concedas alia
omnia: in hoc solo vel minus peritum quam in
ceteris, adiecta, si poterit fieri, etiam causa, cur id
ita sit, vel paulo pertinaciorum vel credulum vel
72 iratum vel impulsum ab aliis. Hoc enim commune
remedium est, si in tota actione aequaliter appareat
non honor modo eius, sed etiam caritas. Praeterea
causa sit nobis iusta sic dicendi, neque id moderate
73 tantum faciamus, sed etiam necessario. Diversum ab

¹ *Pro Muren.* vii. 15.

² *Pro Muren.* xxix. 60.

QUINTILIAN

- hoc sed facilius, cum hominum aut alioqui turpium aut nobis invisorum quaedam facta laudanda sunt. Decet enim rem ipsam probare in qualicunque persona. Dixit Cicero pro Gabinio et P. Vatinio, inimicissimis antea sibi hominibus et in quos orationes etiam scripserat, verum ait, ut sit iusta causa sic faciendi,¹ non se de ingenii fama, sed de fide
- 74 esse sollicitum. Difficilior ei ratio in iudicio Cluentiano fuit, cum Scamandrum necesse haberet dicere nocentem, cuius egerat causam. Verum id elegantissime cum eorum, a quibus ad se perductus esset, precibus, tum etiam adolescentia sua excusat, detracturus alioqui plurimum auctoritatis sibi,² in causa praesertim suspecta, si eum se esse, qui temere nocentes reos susciperet, fateretur.
- 75 Apud iudicem vero, qui aut erit inimicus aut propter aliquod commodum a causa, quam nos susceperimus, aversus, ut persuadendi ardua ratio, ita dicendi expeditissima. Fiducia enim iustitiae eius et nostrae causae nihil nos timere simulabimus. Ipse erit gloria inflandus, ut tanto clarior eius futura sit fides ac religio in pronuntiando, quanto minus

¹ ait ut sit . . . sic faciendi, *Halm*: et iusta sit faciendi (*and the like*), *MSS*.

² sibi, *Halm*: sicut, *G*: si, *vulgo*.

¹ Ch. 17 *sqq.*

QUINTILIAN

76 vel offensae vel utilitati suae indulserit. Hoc et apud eos, a quibus appellatum erit, si forte ad eosdem remitemur; adiicienda ratio vel necessitatis alicuius, si id causa concedit, vel erroris vel suspicionis. Tutissimum ergo paenitentiae confessio et satisfactio culpaе, perducendusque omni modo
77 iudex ad irae pudorem. Accidit etiam nonnunquam ut eadem de ¹ causa, de qua pronuntiavit, cognoscat iterum. Tum illud quidem commune: apud alium nos iudicem disputaturos de illius sententia non fuisse, neque enim emendari ab alio quam ipso fas esse; ceterum ex causa, ut quaeque permittet, aut ignorata quaedam aut defuisse testes aut (quod timidissime et, si nihil aliud plane fuerit, dicendum
78 est) patronos non suffecisse succurret. Etiam, si apud alios iudices agatur, ut in secunda adsertione aut in centumviralibus iudiciis duplicibus, parte victa decentius erit, quotiens contigerit, servare iudicum pudorem; de qua re latius probationum loco dictum est.

Potest evenire, ut in aliis reprehendenda sint,

¹ ut, *added by Regius, de by Halm.*

¹ *I. e.* apologise for refusing to accept his original judgment.

² v. ii. 1, where, as here, it is indicated that different portions of a case might be tried by two panels of *centumviri* sitting separately. The centumviral court dealt mainly with cases of inheritance.

QUINTILIAN

quae ipsi fecerimus, ut obiicit Tubero Ligario, quod
79 in Africa fuerit. Et ambitus quidam damnati recuperandae dignitatis gratia reos eiusdem criminis detulerunt, ut in scholis luxuriantem patrem luxuriosus ipse iuvenis accusat. Id quomodo decenter fieri possit, equidem non invenio, nisi aliquid reperitur, quod intersit, persona, aetas, tempus, causa,
80 locus, animus. Tubero, iuvenem se patri haesisse, illum a senatu missum non ad bellum, sed ad frumentum coemendum ait, ut primum licuerit, a partibus recessisse; Ligarium et perseverasse et non pro Cn. Pompeio, inter quem et Caesarem dignitatis fuerit contentio, cum salvam uterque rem publicam vellet, sed pro Iuba atque Afris inimicissimis populo
81 Romano stetisse. Ceterum vel facillimum est, ibi alienam culpam incusare, ubi fateris tuam. Verum id iam indicis est, non actoris. Quodsi nulla contingit excusatio, sola colorem habet paenitentia. Potest enim videri satis emendatus, qui in odium
82 eorum, in quibus erraverat, ipse conversus est. Sunt enim casus quidam, qui hoc natura ipsa rei non indecens faciant: ut cum pater ex meretrice natum, quod duxerit¹ meretricem in matrimonium, abdicat;

¹ meretrice . . . duxerit, *added by ed. Camp.*

¹ See v. x. 108 note and with reference to *pro Clu.* xxxvi. 98.

QUINTILIAN

- scholastica materia sed non quae in foro non possit accidere. Hic igitur multa non deformiter dicet : vel quod omnium sit votum parentum, ut honestiores quam sint ipsi liberos habeant, (nam et si filia nata, meretrix eam mater pudicam esse voluisset) vel quod humilior ipse fuerit, (licet enim huic ducere)¹
- 83 vel quod non habuerit patrem qui moneret ; quin eo minus id faciendum filio fuisse, ne renovaret domus pudorem et exprobraret patri nuptias, matri prioris vitae necessitatem, ne denique legem quandam suis quoque rursum² liberis daret. Credibilis erit etiam propria quaedam in illa meretrice turpitudine, quam nunc hic pater ferre non possit. Alia praetereo ; neque enim nunc declamamus, sed ostendimus nonnunquam posse dicentem ipsis incommodis bene uti.
- 84 Illic maior aestus, ubi quis pudenda queritur, ut stuprum, praecipue in maribus, aut os profanatum. Non dico, si loquatur ipse ; nam quid aliud ei quam gemitus ac fletus et execratio vitae conveniat, ut iudex intelligat potius dolorem illum quam audiat ? Sed patrono quoque per similes adfectus eundum

¹ huic ducere, *Spalding* : hoc ducere or dicere, *MSS.*

² rursum, *Halm* : sum, *G* : subinde, *vulgo.*

¹ The *lex Iulæ de maritandis ordinibus* (18 B.C.) forbade the marriage of a senator with a prostitute.

QUINTILIAN

erit, quia hoc iniuriae genus verecundius est fateri¹
85 passis quam ausis. Mollienda est in plerisque alio
colore asperitas orationis, ut Cicero de proscriptorum
liberis fecit. Quid enim crudelius quam homines
honestis parentibus ac maioribus natos a re publica
sum moveri? Itaque durum id esse summus ille
tractandorum animorum artifex confitetur, sed ita
legibus Sullae cohaerere statum civitatis adfirmat, ut
iis solutis stare ipsa non possit. Adsecutus itaque
est, ut aliquid eorum quoque causa videretur facere
86 contra quos diceret. Illud etiam in iocis monui,
quam turpis esset fortunae insectatio, et ne in totos
ordines aut gentes aut populos petulantia incurreret.
Sed interim fides patrocinii cogit quaedam de uni-
verso genere aliquorum hominum dicere, liber-
~~tinorum~~ vel militum vel publicanorum vel similiter
87 aliorum. In quibus omnibus commune remedium
est, ut ea, quae laedunt, non libenter tractare vi-
dearis nec in omnia impetum facias, sed in id quod
expugnandum est, et reprehendens alia laude com-
88 penses: si cupidos milites dicas,² sed non mirum,

¹ fateri, *added by Halm.*

² cupidos milites dicas, sed, *Spalding*: cupidum dedi-
casset, *G.*

¹ Now lost.

² Cicero argued that it was better that a few should suffer
unjustly than that the state should be upset by admitting
them to office. But he admitted that their case was hard
and suggested that it was better for them to live in an
orderly state than run the risks in which revolution would
involve them as well as others.

³ vi. iii. 28.

QUINTILIAN

quod periculorum ac sanguinis maiora sibi deberi
 praemia putent; eosdem petulantes, sed hoc fieri,
 quod bellis magis quam paci consuerint. Libertinis
 89 detrahenda est auctoritas; licet iis testimonium red-
 dere industriae, per quam exierint de servitute. Quod
 ad nationes externas pertinet, Cicero varie: de-
 tracturus Graecis testibus fidem, doctrinam iis
 concedit ac litteras, seque eius gentis amatorem
 esse profitetur, Sardos contemnit, Allobrogas ut
 hostes insectatur; quorum nihil tunc, cum di-
 ceretur, parum aptum aut remotum cura decoris
 90 fuit. Verborum etiam moderatione detrahi solet,
 si qua est rei invidia: si asperum dicas nimium
 severum, iniustum persuasione labi, pertinacem ultra
 modum tenacem esse propositi; plerumque velut
 ipsos coneris ratione vincere, quod est mollissimum.

91 Indecorum est super haec omne nimium, ideoque
 etiam quod natura rei satis aptum est, nisi modo
 quoque temperatur, gratiam perdit. Cuius rei

¹ *E.g. pro Flacco* xxvi.

² In a fragment of *pro Scauro*.

³ *pro Font.* viii.

QUINTILIAN

observatio iudicio magis quodam sentiri quam praeceptis tradi potest, quantum satis sit et quantum recipiant aures. Non habet res mensuram et quasi pondus, quia ut in cibis alia aliis magis complent.

- 92 Adiiciendum etiam breviter videtur, quod fit ut¹ dicendi virtutes diversissimae non solum suos amatores habeant, sed ab eisdem saepe laudentur. Nam Cicero quodam loco scribit, id esse optimum, quod, cum te facile credideris consequi imitatione, non possis. Alio vero, non id egisse, ut ita diceret, quomodo se quilibet posse confideret, sed quomodo
- 93 nemo. Quod potest pugnare inter se videri. Verum utrumque ac merito laudatur; causarum enim² modo distat, quia simplicitas illa et velut securitas in-
adfectatae orationis mire tenues causas decet, maioribus illud admirabile dicendi genus magis convenit. In utroque eminet Cicero; ex quibus alterum imperiti se posse consequi credent, neutrum, qui intelligunt.

II. Memoriam quidam naturae modo esse munus existimaverunt, estque in ea non dubie plurimum,

¹ fit ut, *Halm*: fiat, *MSS*.

² causarum enim, *Spalding*: causa enim enim, *G*.

¹ See *Or.* xxiii. 76. In this and the next passage Quintilian does not quote, but paraphrases.

² See *Or.* xxviii. 97.

QUINTILIAN

sed ipsa excolendo sicut alia omnia augetur; et totus, de quo diximus adhuc, inanis est labor, nisi ceterae partes hoc velut spiritu continentur. Nam et omnis disciplina memoria constat, frustra que docemur, si quidquid audimus praeterfluat; et exemplorum, legum, responsorum, dictorum denique factorumque velut quasdam copias, quibus abundare quasque in promptu semper habere debet orator, eadem illa vis praesentat. Neque immerito thesaurus
2 hic eloquentiae dicitur. Sed non firme tantum continere, verum etiam cito percipere multa acturos oportet, nec quae scripseris modo iterata lectione complecti, sed in cogitatis quoque rerum ac verborum contextum sequi, et quae sint ab adversa parte dicta meminisse, nec utique ea, quo dicta sunt ordine,
3 refutare, sed opportunis locis ponere. Quid? extemporalis oratio non alio mihi videtur mentis vigore constare. Nam dum alia dicimus, quae dicturi sumus intuenda sunt. Ita, cum semper cogitatio ultra eat,¹ id quod est longius quaerit, quidquid autem repperit quodam modo apud memoriam deponit; quod illa quasi media quaedam manus

¹ ultra eat id, *Halm*: ultre ad id, *G*: ultra id, *codd. Mon. Argentorat.*

QUINTILIAN

- 4 acceptum ab inventione tradit elocutioni. Non arbitror autem mihi in hoc immorandum, quid sit quod memoriam faciat, quanquam plerique imprimi quaedam vestigia animo, velut in ceris anulorum signa servantur, existimant. Neque ero tam credulus, ut, qui ¹ habitu tardiolem firmiolemque memoriam fieri videam, ei artem quoque audeam impertire.²
- 5 Magis admirari naturam subit, tot res vetustas tanto ex intervallo repetitas reddere se et offerre, nec tantum requirentibus sed etiam sponte interim, nec vigil-
- 6 antibus sed etiam quiete compositis: eo magis, quod illa quoque animalia, quae carere intellectu videntur, meminerunt et agnoscunt et quamlibet longo itinere deducta ad adsuetas sibi sedes revertuntur. Quid? non haec varietas mira est, excidere proxima, vetera inhaerere? hesternorum immemores acta pueritiae
- 7 recordari? Quid quod quaedam requisita se occultant et eadem forte succurrunt? nec manet semper memoria, sed aliquando etiam redit? Nesciretur tamen, quanta vis esset eius, quanta divinitas illa, nisi in hoc lumen vim ³ orandi extulisset. Non
- 8 enim rerum modo sed etiam verborum ordinem

¹ qui . . . fieri videam, *Spalding*: quam . . . fieri, *MSS.*

² ei artem quoque audeam impertire, *Spalding*: et actem (or autem) quoque ad animum pertire (pertinere or partire) *MSS.*

³ vim, added by *Regius*.

QUINTILIAN

praestat, nec ea pauca contextit, sed durat prope in infinitum, et in longissimis actionibus prius audiendi
9 patientia quam memoriae fides deficit. Quod et ipsum argumentum est subesse artem aliquam iuvarique ratione naturam, cum idem docti facere illud, indocti inexercitatieque non possimus. Quamquam invenio apud Platonem obstare memoriae usum litterarum, videlicet quoniam illa, quae scriptis
10 reposuimus, velut custodire desinimus et ipsa securitate dimittimus. Nec dubium est quin plurimum in hac parte valeat mentis intentio et velut acies luminum a prospectu rerum, quas intuetur, non aversa. Unde accidit, ut quae per plures dies scribimus ediscendi causa, cogitatione¹ ipsa contineamus.²

11 Artem autem memoriae primus ostendisse dicitur Simonides. Cuius vulgata fabula est: cum pugili coronato carmen, quale componi victoribus solet, mercede pacta scripsisset, abnegatam ei pecuniae partem, quod more poetis frequentissimo digressus in laudes Castoris ac Pollucis exierat. Quapropter partem ab iis petere, quorum facta celebrasset, iube-

¹ causa, cogitatione, *early edd.* : sint cogitationes, *MSS.*

² contineamus, *Slothouwer* : contineat, *MSS.*

¹ *Phaedr.* 275 A.

² See x. i 64.

QUINTILIAN

- 12 batur. Et persolverunt, ut traditum est. Nam cum
esset grande convivium in honorem eiusdem victoriae
atque adhibitus ei cenae Simonides, nuntio est ex-
citus, quod eum duo iuvenes equis advecti desiderare
maiores in modum dicebantur. Et illos quidem
non invenit, fuisse tamen gratos erga se deos exitu
13 comperit. Nam vix eo ultra limen egresso, triclinium
illud supra convivas corruit atque ita confudit,¹ ut
non ora modo oppressorum, sed membra etiam omnia
requerentes ad sepulturam propinqui nulla nota
possent discernere. Tum Simonides dicitur memor
ordinis,² quo quisque discubuerat, corpora suis reddi-
14 disse. Est autem magna inter auctores dissensio,
Glaucōne Carystio an Leocrati an Agatharcho an
Scopae scriptum sit id carmen; et Pharsali fuerit
haec domus, ut ipse quodam loco significare Simonides
videtur utque Apollodorus et Eratosthenes et Eupho-
rion et Larissaeus Eurypylus tradiderunt, an Cran-
none, ut Apollas Callimachus,³ quem secutus Cicero
15 hanc famam latius fudit. Scopam nobilem Thessalum
periisse in eo convivio constat; adiicitur sororis eius
filius; putant et ortos plerosque ab alio Scopae, qui
16 maior aetate fuerit. Quanquam mihi totum de
Tyndaridis fabulosum videtur, neque omnino huius

¹ confudit ut, *Badius*: confunditur, *MSS.*

² ordinis, *Regius*: ordine, *MSS.*

³ Apollas Callimachus *being unknown*, *Bentley conjectured* Apollas et Callimachus (*Schneidewin* Callimachusque). Apollas would then refer to a philosopher and geographer of Cyrene.

¹ Cic. *de Or.* II. lxxxvi. 352.

QUINTILIAN

rei meminit usquam poeta ipse, profecto non taciturus de tanta sua gloria.

- 17 Ex hoc Simonidis facto notatum videtur, iuvari memoriam signatis animo sedibus, idque credere suo quisque experimento potest.¹ Nam cum in loca aliqua post tempus reversi sumus, non ipsa agnoscimus tantum, sed etiam, quae in his fecerimus, reminiscimur personaeque subeunt, nonnunquam tacitae quoque cogitationes in mentem revertuntur. Nata est igitur, ut in plerisque, ars ab experimento.
- 18 Loca deligunt² quam maxime spatiosa, multa varietate signata, domum forte magnam et in multos diductam recessus. In ea quidquid notabile est, animo diligenter adfigunt, ut sine cunctatione ac mora partes eius omnes cogitatio possit percurrere. Et primus hic labor est non haerere in occurso; plus enim quam firma debet esse memoria, quae aliam memoriam
- 19 adiuvet. Tum, quae scripserunt vel cogitatione complexi sunt,³ aliquo signo, quo moneantur, notant; quod esse vel ex re tota potest, ut de navigatione, militia, vel ex verbo aliquo; nam etiam excidentis unius admonitione verbi in memoriam reponuntur.

¹ potest, *added by Rollin.*

² deligunt, *Spalding*: discunt, *MSS.*

³ complexi sunt, *Spalding*: complectitur, *G.*

QUINTILIAN

Sit autem signum navigationis ut ancora, militiae
 20 ut aliquid ex armis. Haec ita digerunt. Primum
 sensum vestibulo quasi adsignant, secundum, puta,
 atrio, tum impluvia circumeunt, nec cubiculis modo
 aut exedris, sed statuis etiam similibusque per
 ordinem committunt. Hoc facto, cum est repetenda
 memoria, incipiunt ab initio loca haec recensere, et
 quod cuique crediderunt reposcunt, ut eorum imagine
 admonentur. Ita, quamlibet multa sint, quorum
 meminisse oporteat, fiunt singula conexa quodam
 choro,¹ nec errant² coniungentes prioribus conse-
 21 quentia solo ediscendi labore. Quod de domo dixi,
 et in operibus publicis et in itinere longo et urbium
 ambitu et picturis fieri potest. Etiam fingere sibi
 has imagines licet. Opus est ergo locis, quae vel
 finguntur vel sumuntur, et imaginibus vel simulacris,
 quae utique fingenda sunt. Imagines voces sunt,
 quibus ea quae ediscenda sunt notamus, ut, quomodo
 Cicero dicit, locis pro cera, simulacris pro litteris
 22 utamur. Illud quoque ad verbum ponere optimum
 fuerit: *Locis est utendum multis, illustribus, explicatis,*
modicis intervallis, imaginibus autem agentibus, acribus,

¹ choro, *early editors*: coria, corio, *MSS.*

² nec errant, *Bonnell*: onerant, *G.*

¹ The *impluvium* was the light-well in the centre of the *atrium* with a cistern beneath it to catch the rainwater from the roof, which sloped inwards.

² *De Or.* II. lxxxvi. 354.

³ *De Or.* II. lxxxvii. 358.

QUINTILIAN

insignitis, quae occurrere celeriterque percutere animum possint. Quo magis miror, quomodo Metrodorus in XII signis, per quae sol meat, trecenos et sexagenos invenerit locos. Vanitas nimirum fuit atque iactatio circa memoriam sua potius arte quam natura gloriantis.

- 23 Equidem haec ad quaedam prodesse non negaverim, ut si rerum nomina multa per ordinem audita reddenda sint. Namque in iis quae didicerunt locis ponunt res illas: mensam, ut hoc utar, in vestibulo et pulpitum¹ in atrio et sic cetera, deinde relegentes
24 inveniunt, ubi posuerunt. Et forsitan hoc sunt adiuti qui, auctione dimissa, quid cuique vendidissent testibus argentariorum tabulis reddiderunt; quod praestitisse Hortensium dicunt. Minus idem proderit in ediscendis, quae orationis perpetuae erunt. Nam et sensus non eandem imaginem quam res habent, cum alterum fingendum sit, et horum tamen utcunque commonet locus, sicut sermonis alicuius habiti. At² verborum contextus eadem arte quomodo com-
25 prehendetur? Mitto quod quaedam nullis simulacris

¹ pulpitum, *Bonnell*: populum, *G*: pulvinum, *early editors*.

² At, *added by Halm*.

¹ Of Scepstis, the favourite of Mithradates Eupator. See *de Or.* II. lxxxviii. 360. He used the signs of the Zodiac as aids to the memory, subdividing each into thirty compartments. Quintilian wonders on what principle he can have made such a division, necessarily purely artificial in nature.

QUINTILIAN

- significari possunt, ut certe coniunctiones. Habeamus enim sane, ut qui notis scribunt, certas imagines omnium et loca scilicet infinita, per quae verba, quot sunt in quinque contra Verrem secundae actionis libris, explicentur, meminerimus etiam omnium quasi depositorum: nonne impediri quoque dicendi cursum¹ necesse est duplici memoriae cura? Nam quomodo poterunt copulata fluere, si propter singula verba ad singulas formas respiciendum erit? Quare et Charmadas et Scepsius, de quo modo dixi, Metrodorus, quos Cicero dicit usos hac exercitatione, sibi habeant sua; nos simpliciora tradamus.
- 27 Si longior complectenda memoria fuerit oratio, proderit per partes ediscere; laborat enim maxime onere; et hae partes non sint perexiguae, alioqui rursus multae erunt et eam distinguunt atque coincident. Nec utique certum imperaverim modum, sed maxime ut quisque finietur locus, ni forte tam
- 28 numerosus, ut ipse quoque dividi debeat. Dandi sunt certi quidam termini, ut contextum verborum, qui est difficillimus, continua et crebra meditatio, partes deinceps ipsas repetitus ordo coniungat. Non est inutile, iis quae difficilius haereant aliquas

¹ quoque dicendi cursum, *Spalding*: quodque dicit dicursum, *G*.

¹ *de Or.* II. lxxxvii. 360. Charmadas or Charmides, an elder contemporary of Cicero.

QUINTILIAN

- apponere notas, quarum recordatio commoneat et
 29 quasi excitet memoriam; nemo etiam fere tam
 infelix, ut, quod cuique loco signum destinaverit,
 nesciat. At, si tardus¹ ad hoc, eo quoque adhuc
 remedio utetur² ut ipsae notae (hoc enim est ex illa
 arte non inutile) aptentur³ ad eos qui excidunt
 sensus: ancora⁴ ut supra pro posui, si de nave dicen-
 30 dum est,⁵ spiculum, si de proelio. Multum enim
 signa faciunt, et ex alia memoria venit alia: ut cum
 translatus anulus vel alligatus commoneat nos, cur
 id fecerimus. Haec magis adhuc adstringunt, qui
 memoriam ab aliquo simili transferunt ad id quod
 continendum est: ut in nominibus, si Fabius forte
 sit tenendus, referamus ad illum Cunctatorem, qui
 excidere non potest, aut ad aliquem amicum, qui
 31 idem vocetur. Quod est facilius in Apris et in Ursis
 et Nasone aut Crispo, ut id memoriae adfigatur unde
 sunt nomina. Origo quoque aliquando declinatorum
 tenendi magis causa est, ut in Cicerone, Verrio,
 Aurelio. Sed hoc miserim.⁶
 32 Illud neminem non iuvabit, iisdem quibus scripserit⁷
 ceris ediscere. Sequitur enim vestigiis quibusdam

¹ at, *Halm*: ut, *G.*: tardus, an *early emendation*: trandus,
G.: tradendus, late *MSS.*

² utetur, *Halm*: utitur, *MSS.*

³ aptentur, *Hiecke*: adtentus, *MSS.*

⁴ ancora, *Hiecke*: ancoram, *MSS.*

⁵ est, *Halm*: esset, *MSS.*

⁶ miserim, *Halm*: misceri, *G.*

⁷ scripserit, *early edd.*: ceteris, *MSS.*

¹ Sects. 18-23.

² Boar, Bear, Long-nose, and Curly respectively.

³ Cicero, a sower of chickpea (*cicer*), according to Pliny
 (xviii. 10). Aurelius = Auselius, child of the sun (*a sole*)
 according to Festus. Verrius unknown.

QUINTILIAN

memoriam, et velut oculis intuetur non paginas modo, sed versus prope ipsos, estque cum¹ dicit similis legenti. Iam vero si litura aut adiectio aliqua atque mutatio interveniat, signa sunt quaedam, quae in-
33 tuentes deerrare non possumus. Haec ratio, ut est illi, de qua primum locutus sum, arti non dissimilis, ita, si quid me experimenta docuerunt, et expeditior et potentior. Ediscere tacite (nam id quoque est quaesitum) erat optimum, si non subirent velut otiosum animum plerumque aliae cogitationes; propter quas excitandus est voce, ut duplici motu iuvetur memoria dicendi et audiendi. Sed haec vox sit
34 modica et magis murmur. Qui autem legente alio ediscit, in parte tardatur, quod acrior est oculorum quam aurium sensus; in parte iuvari potest, quod, cum semel aut bis audierit, continuo illi memoriam suam experiri licet et cum legente contendere. Nam et alioqui id maxime faciendum est, ut nos subinde temptemus, quia continua lectio et quae magis et
35 quae minus haerent aequaliter transit. In experiendo

¹ estque cum, *Meister*: quae cum, *G*.

QUINTILIAN

teneasne, et maior intentio est et nihil supervacui temporis perit, quo etiam quae tenemus repeti solent ; ita sola, quae exciderunt, retractantur, ut crebra iteratione firmentur, quanquam solent hoc ipso maxime haerere, quod exciderunt. Illud ediscendo scribendoque commune est, utrique plurimum conferre bonam valetudinem, digestum cibum, animum
36 cogitationibus aliis liberum. Verum et in iis quae scripsimus complectendis multum valent, et in iis quae cogitamus continendis prope solae (excepta, quae potentissima est, exercitatione) divisio et compositio. Nam qui recte dividerit, nunquam poterit in
37 rerum ordine errare. Certa sunt enim non solum in digerendis quaestionibus, sed etiam in exsequendis, si modo recte dicimus, prima ac secunda et deinceps ; cohaeretque omnis rerum copulatio, ut ei nihil neque subtrahi sine manifesto intellectu neque inseri possit.
38 An vero Scaevola in lusu duodecim scriptorum, cum prior calculum promovisset essetque victus, dum rus tendit, repetito totius certaminis ordine, quo dato errasset recordatus, rediit ad eum, quocum luserat, isque ita factum esse confessus est? Minus idem

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ordo valebit in oratione, praesertim totus nostro arbitrio constitutus, cum tantum ille valeat alternus?

39 Etiam quae bene composita erunt, memoriam serie sua ducent. Nam sicut facilius versus ediscimus quam prosam orationem, ita prosae vineta quam dissoluta. Sic contingit, ut etiam quae ex tempore videbantur effusa, ad verbum repetita reddantur. Quod meae quoque memoriae mediocritatem sequebatur, si quando interventus aliquorum, qui hunc honorem mererentur, iterare declamationis partem coegisset. Nec est mendacio locus, salvis qui interfuerunt.

40 Si quis tamen unam maximamque a me artem memoriae quaerat, exercitatio est et labor; multa ediscere, multa cogitare, et si fieri potest cotidie, potentissimum est. Nihil aequè vel augetur cura vel
41 negligentia intercudit. Quare et pueri statim, ut praecepi, quam plurima ediscant, et, quaecunque aetas operam iuvandae studio memoriae dabit, devoret initio taedium illud et scripta et lecta saepius revolvendi et quasi eundem cibum remandendi. Quod ipsum hoc fieri potest levius, si pauca primum et quae odium non adferant coeperimus ediscere,

¹ See I. i. 36; II. vii. 1 *sqq.*

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tum cotidie adiacere singulos versus, quorum accessio labori sensum incrementi non adferat, in summam ad infinitum usque perveniat, et poetica prius, tum oratorum, novissime etiam solutiora numeris et magis ab usu dicendi remota, qualia sunt iurisconsultorum.

42 Difficiliora enim debent esse, quae exercent, quo sit levius ipsum illud, in quod exercent, ut athletae ponderibus plumbeis adsuefaciunt manus, quibus vacuis et nudis in certamine utendum est. Non omittam etiam, quod cotidianis experimentis deprehenditur, minime fidelem esse paulo tardioribus in-

43 geniis recentem memoriam. Mirum dictu est nec in promptu ratio, quantum nox interposita adferat firmitatis, sive requiescit labor ille, cuius sibi ipsa fatigatio obstabat, sive maturatur atque concoquitur, quae firmissima eius pars est, recordatio; quae statim referri non poterant, contexuntur postera die, confirmatque memoriam illud tempus, quod esse in causa

44 solet oblivionis. Etiam illa praevelox fere cito effluit, et, velut praesenti officio functa nihil in posterum

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debeat, tanquam dimissa discedit. Nec est mirum, magis haerere animo quae diutius adfixa sint.

Ex hac ingeniorum diversitate nata dubitatio est, ad verbum sit ediscendum dicturis, an vim modo rerum atque ordinem complecti satis sit; de quo sine
45 dubio non potest in universum pronuntiari. Nam si memoria suffragatur, tempus non defuit, nulla me velim syllaba effugiat; alioqui etiam scribere sit supervacuum. Idque praecipue a pueris obtinendum, atque in hanc consuetudinem memoria exercitatione redigenda, ne nobis discamus ignoscere. Ideoque et admoneri et ad libellum respicere vitiosum, quod libertatem negligentiae facit, nec quisquam se parum tenere iudicat, quod, ne sibi excidat, non timet.
46 Inde interruptus actionis impetus et resistens ac salebrosa oratio; et qui dicit ediscenti similis, etiam omnem bene scriptorum gratiam perdit vel hoc ipso, quod scripsisse se confitetur. Memoria autem facit etiam prompti ingenii famam, ut illa, quae dicimus, non domo attulisse sed ibi protinus sumpsisse videamur; quod et oratori et ipsi causae plurimum con-
47 fert. Nam et magis miratur et minus timet iudex,
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quae non putat adversus se praeparata. Idque in actionibus inter praecipua servandum est, ut quaedam etiam, quae optime vinximus, velut soluta enuntiemus et cogitantibus nonnunquam et dubitantibus similes quaerere videamur quae attulimus.

48 Ergo quid sit optimum, neminem fugit. Si vero aut memoria natura durior erit aut non suffragabitur tempus, etiam inutile erit ad omnia se verba adligare, cum oblivio unius eorum cuiuslibet aut deformem haesitationem aut etiam silentium inducat, tutiusque multo comprehensis animo rebus ipsis libertatem sibi elo-
49 quendi relinquere. Nam et invitus perdit quisque id quod elegerat verbum, nec facile reponit aliud, dum id, quod scripserat, quaerit. Sed ne hoc quidem infirmae memoriae remedium est nisi in iis, qui sibi facultatem aliquam dicendi ex tempore paraverunt. Quodsi cui utrumque defuerit, huic omittere omnino totum actionum laborem ac, si quid in litteris valet, ad scribendum potius suadebo convertere. Sed haec rara infelicitas erit.

50 Ceterum quantum natura studioque valeat memoria, vel Themistocles testis, quem unum intra annum optime locutum esse Persice constat; vel Mithri-
24c

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dates, cui duas et viginti linguas, quot nationibus imperabat, traditur notas fuisse; vel Crassus ille Dives, qui, cum Asiae praeesset, quinque Graeci sermonis differentias sic tenuit ut, qua quisque apud eum lingua postulasset, eadem ius sibi redditum ferret; vel Cyrus, quem omnium militum tenuisse
 51 creditum est nomina. Quin semel auditos quamlibet multos versus protinus dicitur reddidisse Theodectes. Dicebantur etiam nunc esse, qui facerent, sed mihi nunquam, ut ipse interesssem, contigit; habenda tamen fides est vel in hoc ut, qui crediderit, et speret.

III. Pronuntiatio a plerisque actio dicitur, sed prius nomen a voce, sequens a gestu videtur accipere. Namque actionem Cicero alias *quasi sermonem* alias *eloquentiam quandam corporis* dicit. Idem tamen
 2 duas eius partes facit, quae sunt eadem pronuntiationis, vocem atque motum. Qua propter utraque appellatione indifferenter uti licet. Habet autem res ipsa miram quandam in orationibus vim ac potestatem; neque enim tam refert, qualia sint, quae intra nosmet ipsos composuimus, quam quo modo efferrantur; nam ita quisque, ut audit, movetur. Quare neque probatio ulla, quae modo venit ab oratore, tam firma est, ut non perdat vires suas, nisi adiuvatur

¹ King of Pontus.

² Consul, 131 B.C. Commanded in the war against Aristonicus of Pergamum, was defeated and killed.

³ Rhetorician of first half of fourth century B.C.

⁴ *de Or.* III. lix. 222.

⁵ *Or.* xvii. 55.

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adseveratione dicentis. Affectus omnes languescant
necesse est, nisi voce, vultu, totius prope habitu
3 corporis inardescunt. Nam cum haec omnia fecerimus, felices tamen, si nostrum illum ignem iudex
conceperit; nedum eum supini securique moveamus,
4 ac non et ipse nostra oscitatione solvatur. Documento sunt vel scenici actores, qui et optimis poetarum tantum adiiciunt gratiae, ut nos infinito magis
eadem illa audita quam lecta delectent; et vilissimis
etiam quibusdam impetrant aures, ut, quibus nullus
est in bibliothecis locus, sit etiam frequens in theatris.
5 Quodsi in rebus, quas fictas esse scimus et inanes, tantum pronuntiatio potest, ut iram, lacrimas, sollicitudinem adferat, quanto plus valeat necesse est, ubi
et credimus? Equidem vel mediocrem orationem
commendatam viribus actionis adfirmarim plus habituram esse momenti quam optimam eadem illa destitutam.
6 Siquidem et Demosthenes, quid esset in toto dicendi opere primum, interrogatus pronuntiationi palmam dedit eidemque secundum ac tertium locum, donec ab eo quaeri desineret, ut eam videri posset
7 non praecipuam, sed solam iudicasse; ideoque ipse

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- tam diligenter apud Andronicum hypocriten studuit, ut admirantibus eius orationem Rhodiis non immerito Aeschines dixisse videatur: *Quid si ipsum audissetis?* Et M. Cicero unam in dicendo actionem dominari
8 putat. Hac Cn. Lentulum plus opinionis consecutum quam eloquentia tradit, eadem C. Gracchum in deflenda fratris nece totius populi Romani lacrimas concitasse, Antonium et Crassum multum valuisse, plurimum vero Q. Hortensium. Cuius rei fides est, quod eius scripta tantum intra famam sunt, qua diu princeps oratorum, aliquando aemulus Ciceronis existimatus est, novissime, quoad vixit, secundus, ut appareat placuisse aliquid eo dicente, quod legentes
9 non invenimus. Et hercule cum valeant multum verba per se, et vox propriam vim adiiciat rebus, et gestus motusque significet aliquid, profecto perfectum quiddam fieri, cum omnia coierunt, necesse est.
- 10 Sunt tamen qui rudem illam, et qualem impetus cuiusque animi tulit, actionem iudicent fortiolem et solam viris dignam, sed non alii fere quam qui etiam

¹ *de Or.* III. lvi. 213. Aeschines in exile at Rhodes first recited his own speech against Ctesiphon, and then by special request read Demosthenes' reply, the famous *De Corona*.

² *Brut.* lxvi., lxxxix., xxxviii., xliii., lxxxviii.

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- in dicendo curam et artem et nitorem, et quidquid studio paratur, ut adfectata et parum naturalia solent improbare, vel qui verborum atque ipsius etiam soni rusticitate, ut L. Cottam dicit Cicero fecisse, imitationem antiquitatis adfectant. Verum illi persuasione sua fruuntur, qui hominibus, ut sint oratores, satis putant nasci; nostro labori dent veniam, qui nihil credimus esse perfectum, nisi ubi natura cura iuvetur. In hoc igitur non contumaciter consentio primas partes esse naturae. Nam certe bene pronuntiare non poterit, cui aut in scriptis memoria aut in iis, quae subito dicenda erunt, facilitas prompta defuerit, nec si inemendabilia oris incommoda obstabunt. Corporis etiam potest esse aliqua tanta deformitas, ut nulla arte vincatur. Sed ne vox quidem exilis actionem habere optimam potest. Bona enim firmaque, ut volumus, uti licet; mala vel imbecilla et inhibet multa, ut insurgere et exclamare, et aliqua cogit, ut intermittere et deflectere et rasas fauces ac latus fatigatum deformi cantico reficere. Sed nos de eo nunc loquamur, cui non frustra praecipitur.
- 14 Cum sit autem omnis actio, ut dixi, in duas divisa partes, vocem gestumque, quorum alter oculos, altera

¹ *de Or.* III. xi. 42. *Brut.* lxxiv. 259.

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aures movet, per quos duos sensus omnis ad animum penetrat adfectus, prius est de voce dicere, cui etiam gestus accommodatur.

In ea prima observatio est, qualem habeas ; secunda, quomodo utaris. Natura vocis spectatur quantitate
15 et qualitate. Quantitas simplicior ; in summa enim grandis aut exigua est, sed inter has extremitates mediae sunt species, et ab ima ad summam ac retro sunt multi gradus. Qualitas magis varia. Nam est et candida et fusca, et plena et exilis, et lenis et aspera, et contracta et fusa, et dura et flexibilis, et clara et obtusa. Spiritus etiam longior breviorque.
16 Nec causas, cur quidque eorum accidat, persequi proposito operi necessarium est : eorumne sit differentia, in quibus aura illa concipitur, an eorum, per quae velut organa meat ; ipsi propria natura, an prout movetur ; lateris pectorisve firmitas an capitis etiam plus adiuvet. Nam opus est omnibus sicut non oris modo suavitate, sed narium quoque, per quas quod superest vocis egeritur. Dulcis esse
17 tamen debet non exprobrans sonus. Utendi voce

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multiplex ratio. Nam praeter illam differentiam, quae est tripertita, acutae, gravis, flexae, tum intentis, tum remissis, tum elatis, tum inferioribus modis opus est, spatiis quoque lentioribus aut citatioribus.

18 Sed his ipsis media interiacent multa, et ut facies, quanquam ex paucissimis constat, infinitam habet differentiam, ita vox, etsi paucas, quae nominari possint, continet species, propria cuique est, et non haec minus auribus quam oculis illa dinoscitur.

19 Augentur autem sicut omnium, ita vocis quoque bona cura, negligentia minuuntur. Sed cura non eadem oratoribus quae phonascis convenit; tamen multa sunt utrisque communia, firmitas corporis, ne ad spadonum et mulierum et aegrorum exilitatem vox nostra tenuetur; quod ambulatio, unctio, veneris abstinencia, facilis ciborum digestio, id est frugalitas, 20 praestat. Praeterea ut sint fauces integrae, id est molles ac leves, quarum vitio et frangitur et obscuratur et exasperatur et scinditur vox. Nam ut tibiae eodem spiritu accepto alium clausis, alium apertis foraminibus, alium non satis purgatae, alium quassae sonum reddunt, ita fauces tumentes strangulant

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- vocem, obtusae obscurant, rasae exasperant, convulsae
21 fractis sunt organis similes. Finditur etiam spiritus
obiectu aliquo sicut lapillo tenues aquae, quarum
cursus ¹ etiamsi ultra paulum coit, aliquid tamen cavi
relinquit post id ipsum quod offenderat. Humor
quoque vocem ut nimius impedit, ita consumptus
destituit. Nam fatigatio, ut corpora, non ad praesens
22 modo tempus, sed etiam in futurum adficit. Sed ut
communiter et phonascis et oratoribus necessaria est
exercitatio, qua omnia convalescunt, ita curae non
idem genus est. Nam neque certa tempora ad
spatiandum dari possunt tot civilibus officiis occu-
pato, nec praeparare ab imis sonis vocem ad summos
nec semper a contentione condere licet, cum pluribus
23 iudiciis saepe dicendum sit. Ne ciborum quidem est
eadem observatio. Non enim tam molli teneraque
voce quam forti ac durabili opus est, cum illi omnes
etiam altissimos sonos leniant cantu oris, nobis plera-
que aspere sint concitateque dicenda et vigilandae
noctes et fuligo lucubrationum bibenda et in sudata
24 veste durandum. Quare vocem deliciis non molliamus,
nec imbuatur ea consuetudine, quam desideratur
sit; sed exercitatio eius talis sit qualis usus, ne

¹ cursus, *Spalding* : spiritus, *MSS.*

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25 silentio subsidat, sed firmetur consuetudine, qua diffi-
cultas omnis levatur. Ediscere autem, quo exer-
cearis, erit optimum (nam ex tempore dicentes
avocat a cura vocis ille, qui ex rebus ipsis con-
cipitur, adfectus) et ediscere quam maxime varia,
quae et clamorem et disputationem et sermonem et
flexus habeant, ut simul in omnia paremur. Hoc
26 satis est; alioqui nitida illa et curata vox insolitum
laborem recusabit, ut assueta gymnasiis et oleo cor-
pora, quamlibet sint in suis certaminibus speciosa
atque robusta, si militare iter fascemque et vigiliis
imperes, deficiant et quaerant unctores suos nudum-
27 que sudorem. Illa quidem in hoc opere praecipi
quis ferat vitandos soles atque ventos et nubila etiam
ac siccitates? Ita, si dicendum in sole aut ventoso,
humido, calido die fuerit, reos deseremus? Nam
crudum quidem aut saturum aut ebrium aut eiecto
modo vomitu, quae cavenda quidam monent, decla-
28 mare neminem, qui sit mentis compos, puto. Illud
non sine causa est ab omnibus praeceptum, ut parca-
tur maxime voci in illo a pueritia in adolescentiam
transitu, quia naturaliter impeditur, non, ut arbitror,
propter calorem, quod quidam putaverunt (nam est
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- maior alias), sed propter humorem potius ; nam hoc
29 aetas illa turgescit. Itaque nares etiam ac pectus eo
tempore tument, atque omnia velut germinant eoque
sunt tenera et iniuriae obnoxia. Sed, ut ad proposi-
tum redeam, iam confirmatae constitutaeque voci
genus exercitationis optimum duco, quod est operi
simillimum, dicere cotidie sicut agimus. Namque
hoc modo non vox tantum confirmatur et latus, sed
etiam corporis decens et accommodatus orationi
motus componitur.
- 30 Non alia est autem ratio pronuntiationis quam
ipsius orationis. Nam ut illa emendata, dilucida,
ornata, apta esse debet, ita haec quoque emendata
erit, id est, vitio carebit, si fuerit os facile, explana-
tum, iucundum, urbanum, id est, in quo nulla neque
31 rusticitas neque peregrinitas resonet. Non enim
sine causa dicitur *barbarum Graecumve*. Nam sonis
homines ut aera tinnitu dinoscimus. Ita fiet illud,
quod Ennius probat, cum dicit *suaviloquenti ore Cethe-*
gum fuisse, non quod Cicero in his reprehendit, quos
ait *latrare non agere*. Sunt enim multa vitia, de
quibus dixi, cum in quadam primi libri parte puero-
rum ora formare, opportunius ratus, in ea aetate
facere illorum mentionem, in qua emendari possunt.
- 32 Itemque si ipsa vox primum fuerit, ut sic dicam, sana,

¹ *Ann.* ix. 305 (Vahlen).

² *Brut.* xv. 58.

³ I. i. 37 ; v. 32 ; viii. 1 and xi. 1 *sqq.*

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id est, nullum eorum, de quibus modo rettuli, patietur incommodum; deinde non subsurda, rudis, immanis, dura, rigida, rava,¹ praepinguis, aut tenuis, inanis, acerba, pusilla, mollis, effeminata, spiritus nec brevis nec parum durabilis nec in receptu difficilis.

- 33 Dilucida vero erit pronuntiatio primum, si verba tota exierint, quorum pars devorari, pars destitui solet, plerisque extremas syllabas non perferentibus, dum priorum sono indulgent. Ut est autem necessaria verborum explanatio, ita omnes imputare et velut
34 adnumerare litteras molestum et odiosum. Nam et vocales frequentissime coeunt, et consonantium quaedam insequente vocali dissimulantur. Utriusque exemplum posuimus:

Multum ille et terris —.

- 35 Vitatur etiam duriorum inter se congressus, unde *pellexit* et *collegit*, et quae alio loco dicta sunt; ideoque laudatur in Catulo suavis appellatio litterarum. Secundum est, ut sit oratio distincta, id est, qui dicit, et incipiat ubi oportet et desinat. Observandum etiam, quo loco sustinendus et quasi suspendendus sermo sit, quod Graeci ὑποδιαστολὴν vel ὑποστιγμὴν
36 vocant, quo deponendus. Suspenditur *Arma virumque cano*, quia illud *virum* ad sequentia pertinet, ut

¹ rava, *Burman*: vana, *MSS.*

¹ IX. iv. 40.

² *Aen.* i. 3.

³ IX. iv. 37.

⁴ *Brut.* lxxiv. 259. "suavitas vocis et lenis appellatio litterarum" ("the sweetness of his voice and the delicacy with which he pronounced the various letters.")

⁵ "A slight stop," corresponding to our "comma."

⁶ *Aen.* i. 1.

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sit *virum Troiae qui primus ab oris*, et hic iterum.
 Nam etiamsi aliud est, unde venit quam quo venit,
 non distinguendum tamen, quia utrumque eodem
 37 verbo continetur *venit*. Tertio *Italiam*, quia interiectio
 est *fato profugus* et continuum sermonem, qui faciebat
Italiam Lavinaque, dividit. Ob eandemque causam
 quarto *profugus*, deinde *Lavinaque venit litora*, ubi
 iam erit distinctio, quia inde alius incipit sensus.
 Sed in ipsis etiam distinctionibus tempus alias
 brevius, alias longius dabimus; interest enim, ser-
 38 monem finiant an sensum. Itaque illam distinctionem
Litora protinus altero spiritus initio insequar; cum
 illuc venero *Atque altae moenia Romae*, deponam et
 39 morabor et novum rursus exordium faciam. Sunt
 aliquando et sine respiratione quaedam morae etiam
 in periodis. Ut enim¹ illa *In coetu vero populi Romani,*
negotium publicum gerens, magister equitum, etc., multa
 membra habent (sensus enim sunt alii atque alii), sed
 unam circumductionem, ita paulum morandum in his
 intervallis, non interrumpendus est contextus. Et e
 contrario spiritum interim recipere sine intellectu
 morae necesse est, quo loco quasi surripiendus est;
 alioqui si in scite recipiatur, non minus adferat ob-
 scuritatis quam vitiosa distinctio. Virtus autem
 distinguendi fortasse sit parva; sine qua tamen esse
 nulla alia in agendo potest.

¹ enim, *Obrecht*; in, *MSS.*

¹ *Phil.* II. xxv. 63. See *Quint.* VIII. iv. 8.

² See IX. iv. 22, 67, 123. The name *colon* is applied to the longer clauses contained in a period, as opposed to the shorter, which are styled *commata*.

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- 40 Ornata est pronuntiatio, cui suffragatur vox facilis, magna, beata, flexibilis, firma, dulcis, durabilis, clara, pura, secans aëra et auribus sedens (est enim quaedam ad auditum accommodata non magnitudine, sed proprietate), ad hoc velut tractabilis, utique habens omnes in se qui desiderantur sinus intentionesque et toto, ut aiunt, organo instructa; cui aderit lateris firmitas, spiritus cum spatio pertinax, tum labori non
41 facile cessurus. Neque gravissimus autem in musica sonus nec acutissimus orationibus convenit. Nam et hic parum clarus nimiumque plenus nullum adferre animis motum potest, et ille praetenuis et immodicae claritatis, cum est ultra verum, tum neque pronuntiatione flecti neque diutius ferre intentionem potest.
42 Nam vox ut nervi, quo remissior, hoc gravior et plenior, quo tensior, hoc tenuis et acuta magis est. Sic ima vim non habet, summa rumpi periclitatur. Mediis ergo utendum sonis, hique tum augenda intentione excitandi, tum summittenda sunt temperandi.
43 Nam prima est observatio recte pronuntiandi aequalitas, ne sermo subsultet imparibus spatiis ac sonis, miscens longa brevibus, gravia acutis, elata summissis, et inaequalitate horum omnium sicut

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pedum claudicet; secunda varietas, quod solum est
 44 pronuntiatio. Ac ne quis pugnare inter se putet
 aequalitatem et varietatem, cum illi virtuti contra-
 rium vitium sit inaequalitas, huic, quod dicitur
μονοειδεια, quasi quidam unus aspectus. Ars porro
 variandi cum gratiam praebet ac renovat aures, tum
 dicentem ipsa laboris mutatione reficit, ut standi,
 45 ambulandi, sedendi, iacendi vices sunt, nihilque
 eorum pati unum diu possumus. Illud vero maxi-
 mum (sed id paulo post tractabimus), quod secundum
 rationem rerum, de quibus dicimus, animorumque
 habitus conformanda vox est, ne ab oratione dis-
 cordet. Vitemus igitur illam, quae Graece *μονοτονία*
 vocatur, una quaedam spiritus ac soni intentio; non
 solum ne dicamus omnia clamose, quod insanum est,
 aut intra loquendi modum, quod motu caret, aut
 summisso murmure, quo etiam debilitatur omnis
 46 intentio; sed ut in iisdem partibus iisdemque affecti-
 bus sint tamen quaedam non ita magnae vocis
 declinationes, prout aut verborum dignitas aut
 sententiarum natura aut depositio aut inceptio aut
 transitus postulabit: ut, qui singulis pinxerunt
 coloribus, alia tamen eminentiora alia reductiora
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- fecerunt, sine quo ne membris quidem suas lineas
 47 dedissent. Proponamus enim nobis illud Ciceronis
 in oratione nobilissima pro Milone principium ; nonne
 ad singulas paene distinctiones quamvis in eadem
 facie tamen quasi vultus mutandus est? *Etsi vereor,*
iudices, ne turpe sit, pro fortissimo viro dicere incipientem
 48 *timere.* Etiam si est toto proposito contractum atque
 summissum, quia et exordium est et solliciti exordium,
 tamen fuerit necesse est aliquid plenius et erectius,
 dum dicit *Pro fortissimo viro*, quam cum *Etsi vereor* et
 49 *Turpe sit* et *Timere.* Iam secunda respiratio increscat
 oportet et naturali quodam conatu, quo minus pavidè
 dicimus quae sequuntur, et quod magnitudo animi
 Milonis ostenditur: *Minimeque deceat, cum T. Annii*
ipse magis de rei publicae salute quam de sua perturbetur.
 Deinde quasi obiurgatio sui est: *Me ad eius causam*
 50 *parem animi magnitudinem adferre non posse.* Tum
 invidiosiora: *Tamen haec novi iudicii nova forma terret*
oculos. Illa vero iam paene apertis, ut aiunt, tibiis:
Qui, quocunque inciderunt, consuetudinem fori et pristinum
morem iudiciorum requirunt. Nam sequens latum etiam
 atque fustum est: *Non enim corona consessus vester*
 51 *cinctus est, ut solebat.* Quod notavi, ut appareret, non
 solum in membris causae, sed etiam in articulis esse

¹ *pro Mil. i. 1 sqq.* "Although I fear, gentlemen, that it may be discreditable that I should feel afraid on rising to defend the bravest of men, and though it is far from becoming that, whereas Titus Annii is more concerned for the safety of the State than for his own, I should be unable to bring a like degree of courage to aid me in pleading his cause ; still, the strange appearance of this novel tribunal dismays my eyes, which, whithersoever they turn, look in vain for the

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aliquam pronuntiandi varietatem, sine qua nihil neque maius neque minus est.

Vox autem ultra vires urgenda non est. Nam et suffocatur saepe et maiore nisu minus clara est et interim elisa in illum sonum erumpit, cui Graeci
52 nomen a gallorum immaturo cantu dederunt. Nec volubilitate nimia confundenda quae dicimus, quae et distinctio perit et adfectus, et nonnunquam etiam verba aliqua sui parte fraudantur. Cui contrarium est vitium nimiae tarditatis; nam et difficultatem inveniendi fatetur et segnitia solvit animos et, in quo est aliquid, temporibus praefinitis aquam perdit. Promptum sit os, non praeceps, moderatum, non
53 lentum; spiritus quoque nec crebro receptus concidat sententiam, nec eo usque trahatur, donec deficiat. Nam et deformis est consumpti illius sonus et respiratio sub aqua diu pressi similis et receptus longior et non opportunus, ut qui fiat non ubi volumus, sed ubi necesse est. Quare longiorem dicturis periodum colligendus est spiritus, ita tamen, ut id neque diu neque cum sono faciamus, neque omnino ut manifestum sit; reliquis partibus optime
54 inter iuncturas sermonis revocabitur. Exercendus autem est, ut sit quam longissimus; quod Demosthenes ut efficeret, scandens in adversum continuabat

¹ What this word was is not known. Perhaps merely *κοκκυσμός*.

² *aquam perdit*. Lit. wastes water. The reference is to the clepsydra or water-clock employed for the measurement of time.

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quam posset plurimos versus. Idem, quo facilius
 verba ore libero exprimeret, calculos lingua volvens
 55 dicere domi solebat. Est interim et longus et plenus
 et clarus satis spiritus, non tamen firmæ intentionis
 ideoque tremulus, ut corpora, quæ aspectu integra
 nervis parum sustentur; id βρασμὸν¹ Graeci vocant.
 Sunt qui spiritum cum stridore per raritatem dentium
 non recipiunt, sed resorbent. Sunt qui crebro
 anhelitu et introrsum etiam clare sonante imitentur
 56 iumenta onere et iugo laborantia. Quod adfectant
 quoque, tanquam inventionis copia urgeantur maior-
 que vis eloquentiæ ingruat, quam quæ emitti
 faucibus possit. Est aliis concursus oris et cum verbis
 suis colluctatio. Iam tussire et expuere crebro
 et ab imo pulmone pituitam trochleis adducere et
 oris humore proximos spargere et maiorem partem
 spiritus in loquendo per nares effundere, etiamsi non
 utique vocis sunt vitia, quia tamen propter vocem
 57 accidunt, potissimum huic loco subiiciantur. Sed
 quodcumque ex his vitium magis tulerim quam, quo
 nunc maxime laboratur in causis omnibus scholisque,

¹ βρασμὸν, Butler: ΒΓΑΜΟΝ, cod. Bern.: ΒΡΑΜΟΝ, cod. Bamb.: Βράγχοι, Gesner and ed. Tarvis.

¹ βράγχος is generally read, but the word is used in the sense of "hoarseness," which is not what Quintilian describes. I would read βρασμός, a word meaning "effervescence," "shaking," "shivering." Here = tremolo.

² trochlea is a windlass used for raising water from a well.

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cantandi, quod inutilius sit an foedius, nescio. Quid enim minus oratori convenit quam modulatio scenica et nonnunquam ebriorum aut comissantium licentiae
 58 similis? Quid vero movendis adfectibus contrarium magis quam, cum dolendum,¹ irascendum; indignantandum, commiserandum sit, non solum ab his adfectibus, in quos inducendus est iudex, recedere, sed ipsam fori sanctitatem Lyciorum et Carum² licentia solvere? Nam Cicero *illos ex Lycia et Caria*³ *rheto- ras paene cantare in epilogis* dixit. Nos etiam
 59 cantandi severiorem paulo modum excessimus. Quisquamne, non dico de homicidio, sacrilegio, parricidio, sed de calculis certe atque rationibus, quisquam denique, ut semel finiam, in lite cantat? Quod si omnino recipiendum est, nihil causae est, cur non illam vocis modulationem fidibus ac tibiis, immo me hercule, quod est huic deformitati propius, cymbalis
 60 adiuvemus. Facimus tamen hoc libenter; nam nec cuiquam sunt iniucunda quae cantant ipsi, et laboris in hoc quam in agendo minus est. Et sunt quidam, qui secundum alia vitae vitia etiam hac ubique audiendi, quod aures mulceat, voluptate ducantur.

¹ dolendum, *Regius*: docendum, *B. and Iul. Victor*.

² Lyciorum et Carum, *Daniel*: ludorum talarium, *MSS.*

³ Phrygia, *MSS. of Cicero*.

¹ *Or. xviii. 57.*

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Quid ergo? non et Cicero dicit esse aliquem in oratione *cantum obscuriorem*? et hoc quodam naturali initio venit? Ostendam non multo post, ubi et quatenus recipiendus sit hic flexus et cantus quidem sed, quod plerique intelligere nolunt, obscurior.

- 61 Iam enim tempus est dicendi, quae sit apta pronuntiatio. Quae certe ea est, quae iis, de quibus dicimus, accommodatur. Quod quidem maxima ex parte praestant ipsi motus animorum, sonatque vox, ut feritur; sed cum sint alii veri adfectus, alii ficti et imitati, veri naturaliter erumpunt, ut dolentium, irascentium, indignantium, sed carent arte, ideoque
62 sunt disciplina et ratione formaudi. Contra qui effinguntur imitatione, artem habent; sed hi carent natura, ideoque in iis primum est bene adfieri et concipere imagines rerum et tanquam veris moveri. Sic velut media vox, quem habitum a nobis acceperit, hunc iudicum animis dabit. Est enim mentis index
63 ac totidem, quot illa, mutationes habet. Itaque laetis in rebus plena et simplex et ipsa quodammodo hilaris fluit; at in certamine erecta totis viribus et velut omnibus nervis intenditur. Atrox in ira et aspera

¹ Or. xviii. 57.

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ac densa et respiratione crebra ; neque enim potest esse longus spiritus, cum immoderate effunditur. Paulum in invidia faciendā lentior, quia non fere ad hanc nisi inferiores confugiunt ; at in blandiendo, fatendo, satisfaciendo, rogando, lenis et summissa.

64 Suadentium et monentium et pollicentium et consolantium gravis, in metu et verecundia contracta, adhortationibus fortis, disputationibus teres, miseratione flexa et flebilis et consulto quasi obscurior ; at in egressionibus fusa et securae claritatis, in expositione ac sermonibus recta et inter acutum sonum

65 et gravem media. Attollitur autem concitatis adfectibus, compositis descendit pro utriusque rei modo altius vel inferius.

Quid autem quisque in dicendo postulet locus, paulum differam, ut de gestu prius dicam, qui et ipse voci consentit et animo cum ea simul paret. Is quantum habeat in oratore momenti, satis vel ex eo patet quod pleraque etiam citra verba significat.

66 Quippe non manus solum, sed nutus etiam declarant nostram voluntatem et in mutis pro sermone sunt, et saltatio frequenter sine voce intelligitur atque adficit, et ex vultu ingressuque perspicitur habitus

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animorum ; et animalium quoque sermone carentium ira, laetitia, adulatio et oculis et quibusdam aliis
67 corporis signis deprehenditur. Nec mirum, si ista, quae tamen in aliquo posita sunt motu, tantum in animis valent, cum pictura, tacens opus et habitus semper eiusdem, sic in intimos penetret adfectus, ut ipsam vim dicendi nonnunquam superare videatur. Contra si gestus ac vultus ab oratione dissentiat, tristia dicamus hilares, adfirmemus aliqua renuentes non auctoritas modo verbis, sed etiam fides desit.
68 Decor quoque a gestu atque motu venit; ideoque Demosthenes grande quoddam intuens speculum componere actionem solebat; adeo, quamvis fulgor ille sinistras imagines reddat, suis demum oculis credidit, quod efficeret.

Praecipuum vero in actione sicut in corpore ipso caput est cum ad illum, de quo dixi, decorem, tum
69 etiam ad significationem. Decoris illa sunt, ut sit primo rectum et secundum naturam. Nam et deiecto humilitas et supino arrogantia et in latus inclinato languor et praeduro ac rigente barbaria quaedam mentis ostenditur. Tum accipiat aptos ex ipsa actione motus, ut cum gestu concordet et
70 manibus ac lateribus obsequatur. Aspectus enim semper eodem vertitur quo gestus, exceptis quae aut
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damnare aut concedere aut a nobis remove oportebit, ut idem illud vultu videamur aversari, manu repellere :

— *Di talem avertite pestem.*

— *Haud equidem tali me dignor honore.*

- 71 Significat vero plurimis modis. Nam praeter adnuendi, renuendi confirmandique motus sunt et verecundiae et dubitationis et admirationis et indignationis noti et communes omnibus. Solo tamen eo facere gestum scenici quoque doctores vitiosum putaverunt. Etiam frequens eius nutus non caret vitio; adeo iactare id et comas excutientem rotare fanaticum est.
- 72 Dominatur autem maxime vultus. Hoc supplices, hoc minaces, hoc blandi, hoc tristes, hoc hilares, hoc erecti, hoc summissi sumus; hoc pendent homines, hunc intuentur, hic spectatur, etiam antequam dicimus; hoc quosdam amamus, hoc odimus, hoc plurima intelligimus, hic est saepe pro omnibus
- 73 verbis. Itaque in iis, quae ad scenam componuntur, fabulis artifices pronuntiandi a personis quoque affectus mutantur, ut sit Aerope in tragoedia tristic,

¹ *Aen.* iii. 620.

² *Aen.* i. 335.

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atrox Medea, attonitus Ajax, truculentus Hercules.

74 In comoediis vero praeter aliam observationem, qua servi, lenones, parasiti, rustici, milites, meretriculae, ancillae, senes austeri ac mites, iuvenes severi ac luxuriosi, matronae, puellae inter se discernuntur, pater ille, cuius praecipuae partes sunt, quia interim concitatus, interim lenis est, altero erecto, altero composito est supercilio; atque id ostendere maxime

75 partibus congruat. Sed in ipso vultu plurimum valent oculi, per quos maxime animus eminet,¹ ut citra motum quoque et hilaritate enitescant et tristitiae quoddam nubilum ducant. Quin etiam lacrimas iis natura mentis indices dedit, quae aut erumpunt dolore aut laetitia manant. Motu vero intenti, remissi, superbi, torvi, mites, asperi fiunt,

76 quae, ut actus poposcerit, fingentur. Rigidi vero et extenti, aut languidi et torpentes, aut stupentes, aut lascivi et mobiles, et natantes et quadam voluptate suffusi, aut limi et, ut sic dicam, venerei, aut poscentes aliquid pollicentesve nunquam esse debebunt. Nam opertos compressosve eos in dicendo quis nisi

77 plane rudis aut stultus habeat? Et ad haec omnia exprimenda in palpebris etiam et in genis est quoddam

78 deserviens iis ministerium. Multum et superciliis agitur. Nam et oculos formant aliquatenus et fronti

¹ animus eminet, *Spalding*: anima se manat, *B.*

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imperant. His contrahitur, attollitur, remittitur, ut una res in ea plus valeat, sanguis ille, qui mentis habitu movetur et, cum infirmam verecundia cutem accipit, effunditur in ruborem, cum metu refugit, abit omnis et pallore frigescit; temperatus medium
79 quoddam serenum efficit. Vitium in superciliis, si aut immota sunt omnino aut nimium mobilia aut inaequalitate, ut modo de persona comica dixeram, dissident aut contra id quod dicimus finguntur. Ira enim contractis, tristitia deductis, hilaritas remissis ostenditur. Adnuendi quoque et renuendi
80 ratione demittuntur aut allevantur. Naribus labrisque non fere quidquam decenter ostendimus, tametsi derisus iis,¹ contemptus, fastidium significari solet. Nam et *corrugare nares*, ut Horatius ait, et inflare et movere et digito inquietare et impulso subito spiritu excutere et diducere saepius et plana manu resupinare indecorum est, cum emunctio etiam fre-
81 quentior non sine causa reprehendatur. Labra et porriguntur male et scinduntur et adstringuntur et diducuntur et dentes nudant et in latus ac paene ad aurem trahuntur et velut quodam fastidio replicantur et pendent et vocem tantum altera parte dimit-

¹ derisus iis, *Obrecht* : derisui, *B.*

¹ *Ep.* I. v. 23.

² It is hard to distinguish between *scindere* and *diducere*. I have adopted a suggestion of Spalding's.

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tunt. Lambere quoque ea et mordere deforme est, cum etiam in efficiendis verbis modicus eorum esse debeat motus; ore enim magis quam labris loquendum est.

- 82 Cervicem rectam oportet esse, non rigidam aut supinam. Collum diversa quidem, sed pari deformitate et contrahitur et tenditur, sed tenso subest et labor, tenuaturque vox ac fatigatur; adfixum pectori mentum minus claram et quasi latiore presso gut-
- 83 ture facit. Humerorum raro decens adlevatio atque contractio est; breviatur enim cervix et gestum quendam humilem atque servilem et quasi fraudulentum facit, cum se in habitum adulationis, admirationis, metus fingunt. Brachii moderata proiectio,
- 84 remissis humeris atque explicantibus se in proferenda manu digitis, continuos et decurrentes locos maxime decet. At cum speciosius quid uberiusque dicendum est, ut illud *Saxa atque solitudines voci respondent*, exspatiatur in latus et ipsa quodammodo se cum
- 85 gestu fundit oratio. Manus vero, sine quibus trunca esset actio ac debilis, vix dici potest, quot motus habeant, cum paene ipsam verborum copiam consequantur. Nam ceterae partes loquentem adiuvant,
- 86 hae, prope est ut dicam, ipsae loquuntur. Annon his poscimus, pollicemur, vocamus, dimittimus, minamur, supplicamus, abominamur, timemus, interrogamus, negamus; gaudium, tristitiam, dubitationem,

¹ *pro Arch.* viii. 19. See viii. iii. 75 and ix. iv. 44.
 "Rocks and solitude make answer to the voice."

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- confessionem, paenitentiam, modum, copiam, numerum, tempus ostendimus? Non eadem concitant, inhihent,¹ probant, admirantur, verecundantur? Non in demonstrandis locis ac personis adverbiorum atque pronominum obtinent vicem? Ut in tanta per omnes gentes nationesque linguae diversitate hic mihi omnium hominum communis serino videatur.
- 88 Et hi quidem, de quibus sum locutus, cum ipsis vocibus naturaliter exeunt gestus; alii sunt, qui res imitatione significant, ut si aegrum temptantis venas medici similitudine aut citharoedum formatis ad modum percutientis nervos manibus ostendas; quod est genus quam longissime in actione fugiendum.
- 89 Abesse enim plurimum a saltatore debet orator, ut sit gestus ad sensus magis quam ad verba accommodatus; quod etiam histrionibus paulo gravioribus facere moris fuit. Ergo ut ad se manum referre, cum de se ipso loquatur, et in eum quem demonstrat intendere et aliqua his similia permiserim, ita non effingere status quosdam et quidquid dicet ostendere.
- 90 Neque id in manibus solum, sed in omni gestu ac voce servandum est. Non enim aut in illa periodo, *Stetit soleatus praetor populi Romani*, inclinatio incumbens in mulierculam Verris effingenda est; aut in illa, *Caedebatur in medio foro Messanae*,

¹ After inhihent the MSS. add supplicant, rightly deleted by Slothouwer.

¹ There in his slippers stood the praetor of the Roman people." *Verr.* v. xxxiii. 86: see VIII. iii. 64.

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- motus laterum, qualis esse ad verbera solet, torquendus, aut vox, qualis dolore exprimitur, eruenda ;
- 91 cum mihi comoedi quoque pessime facere videantur, quod, etiamsi iuvenem agant, cum tamen in expositione aut senis sermo, ut in Hydriae prologo, aut mulieris, ut in Georgo, incidit, tremula vel effeminata voce pronuntiant. Adeo in illis quoque est aliqua vitiosa imitatio, quorum ars omnis constat imitatione.
- 92 Est autem gestus ille maxime communis, quo medius digitus in pollicem contrahitur explicitis tribus, et principiis utilis cum leni in utramque partem motu modice prolatus, simul capite atque humeris sensim ad id, quo manus feratur, obsecundantibus, et in narrando certus, sed tum paulo productior, et in exprobrando et coarguendo acer atque instans, longius enim partibus his et liberius exeritur.
- 93 Vitiose vero idem sinistrum quasi humerum petens in latus agi solet, quanquam adhuc peius aliqui transversum brachium proferunt et cubito pronuntiant. Duo quoque medii sub pollicem veniunt, et est hic adhuc priore gestus instantior, principio et

¹ *Verr.* v. lxii. 162. "He was scourged in the midst of the market-place of Messina."

² Plays of Menander.

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94 narrationi non commodatus. At cum tres contracti pollice premuntur, tum digitus ille, quo usum optime Crassum Cicero dicit, explicari solet. Is in exprobrando et indicando, unde ei nomen est, valet, et adlevata ac spectante humerum manu paulum inclinatus adfirmat, versus in terram et quasi pronus
95 urget; et aliquando pro numero est. Idem summo articulo utrinque leviter apprehenso, duobus modice curvatis, minus tamen minimo, aptus ad disputandum est. Acrius tamen argumentari videntur, qui medium articulum potius tenent, tanto contractioribus
96 ultimis digitis, quanto priores descenderunt. Est et ille verecundae orationi aptissimus, quo, quattuor primis leviter in summum coeuntibus digitis, non procul ab ore aut pectore fertur ad nos manus et
97 deinde prona ac paulum prolata laxatur. Hoc modo coepisse Demosthenen credo in illo pro Ctesiphonte timido summissoque principio, sic formatam Ciceronis manum, cum diceret: *Si quid est ingenii in me, quod sentio quam sit exiguum.* Eadem aliquatenus liberius deorsum spectantibus digitis colligitur in nos et fusius paulo in diversum resolvitur, ut quodammodo
98 sermonem ipsum proferre videatur. Binos interim

¹ de Or. II. xlv. 188.

² pro Arch. i. 1.

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digitos distinguimus, sed non inserto pollice, paulum
tamen inferioribus intra spectantibus, sed ne illis
99 quidem tensis, qui supra sunt. Interim extremi
palmam circa ima pollicis premunt, ipse prioribus
ad medios articulos iungitur; interim quartus oblique
reponitur; interim quattuor remissis magis quam
tensis, pollice intus inclinato,abilem demonstrando
in latus aut distinguendis, quae dicimus, manum
facimus, cum supina in sinistrum latus, prona in alterum
100 fertur. Sunt et illi breves gestus, cum manus leviter
pandata, qualis voventium est, parvis intervallis et
subadsentientibus humeris movetur, maxime apta
parce et quasi timide loquentibus. Est admirationi
conveniēns ille gestus, quo manus modice supinata
ac per singulos a minimo collecta digitos redeunte
101 flexu simul explicatur atque convertitur. Nec uno
modo interrogantes gestum componimus, plerumque
tamen vertentes manum, utcunque composita est.
Pollici proximus digitus mediumque, qua dexter est,
unguem pollicis summo suo iungens, remissis ceteris,
est et approbantibus et narrantibus et distinguētibz
102 decorus. Cui non dissimilis, sed complicitis tribus
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digitis, quo nunc Graeci plurimum utuntur, etiam utraque manu, quotiens enthymemata sua gestu corrotundant velut caesim. Manus lenior promittit et adsentatur, citatior hortatur, interim laudat. Est et ille urgentis orationem gestus vulgaris magis quam ex arte, qui contrahit alterno celerique motu
103 et explicat manum. Est et illa cava et rara et supra humeri altitudinem elata cum quodam motu velut hortatrix manus; a peregrinis scholis tamen prope recepta tremula scenica est. Digitos, cum summi coierunt, ad os referre, cur quibusdam displicuerit, nescio. Nam id et leviter admirantes et interim subita indignatione velut pavescentes et deprecantes
104 facimus. Quin compressam etiam manum in paenitentia vel ira pectori admovemus, ubi vox vel inter dentes expressa non dedecet: *Quid nunc agam? Quid facias?* Averso pollice demonstrare aliquid,
105 receptum magis puto quam oratori decorum. Sed cum omnis motus sex partes habeat, septimus sit ille, qui in se redit, orbis. Vitiosa est una circumversio: reliqui ante nos et dextra laevaue et sursum et deorsum aliquid ostendunt; in posteriora gestus non

¹ Rhetorical or incomplete syllogisms. But see v. x. 2. xiv. 1.

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106 dirigitur. Interim tamen velut reiici solet. Optime autem manus a sinistra parte incipit, in dextra deponitur, sed ut ponere non ut ferire videatur; quanquam et in fine interim cadit, ut cito tamen redeat, et nonnunquam resilit vel negantibus nobis vel admirantibus.

Hic veteres artifices illud recte adiecerunt, ut manus cum sensu et inciperet et deponeretur. Alioqui enim aut ante vocem erit gestus aut post
107 vocem, quod est utrumque deforme. In illo lapsi nimia subtilitate sunt, quod intervallum motus tria verba esse voluerunt; quod neque observatur neque fieri potest, sed illi quasi mensuram tarditatis celeritatisque aliquam esse voluerunt, neque immerito, ne aut diu otiosa esset manus aut, quod multi
108 faciunt, actionem continuo motu concideret. Aliud est, quod et fit frequentius et magis fallit. Sunt quaedam latentes sermonis percussiones et quasi aliqui pedes, ad quos plurimorum gestus cadit, ut it unus motus *Novum crimen*, alter *C. Caesar*, tertius *et ante hanc diem*, quartus *non auditum*, deinde *propinquus meus*, et *ad te*, et *Quintus Tubero*, et *detulit*.
109 Unde id quoque fluit vitium, ut iuvenes, cum scri-

¹ *pro Lig. i. 1.* "It is a new charge, Gaius Caesar, a charge hitherto unheard of, that my kinsman, Quintus Tubero, has brought to your notice."

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bunt, gestum praemodulati cogitatione sic componant, quomodo casura manus est. Inde et illud vitium, ut gestus, qui in fine dexter esse debet, in sinistrum
 110 frequenter desinat. Melius illud, cum sint in sermone omni brevia quaedam membra, ad quae, si necesse sit, recipere spiritum liceat, ad haec gestum dispo-
 nere : ut puta *Novum crimen, C. Caesar*, habet per se finem quendam suum, quia sequitur coniunctio; deinde *et ante hanc diem non auditum* satis circumscriptum est. Ad haec commodanda manus est,
 111 idque dum erit prima et composita actio. At ubi eam calor concitaverit; etiam gestus cum ipsa orationis celeritate crebrescet. Aliis locis citata, aliis pressa conveniet pronuntiatio. Illa transcurrimus, congerimus,¹ festinamus; hac instamus, inculcamus, infigimus. Plus autem adfectus habent lentiora; ideoque Roscius citatior, Aesopus gravior
 112 fuit, quod ille comoedias, hic tragoedias egit. Eadem motus quoque observatio est. Itaque in fabulis iuvenum, senum, militum, matronarum gravior ingressus est; servi, ancillulae, parasiti, piscatores citatius moventur. Tolle autem manum artifices supra oculos, demitti infra pectus vetant; adeo a

¹ *After congerimus B. gives abundamus, which is omitted by one late MS. and expunged by Halm.*

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- capite eum petere ¹ aut ad imum ventrem deducere;
 113 vitiosum habetur. In sinistrum intra humerum pro-
 movetur; ultra non decet. Sed cum aversantes in
 laevam partem velut propellemus manum, sinister
 humerus proferendus, ut cum capite ad dextram
 114 ferente consentiat. Manus sinistra nuquam sola
 gestum recte facit; dextrae se frequenter accom-
 modat, sive in digitos argumenta digerimus sive
 aversis in sinistrum palmis abominamur sive obiicimus
 115 adversas sive in latus utramque distendimus, sive
 satisfaciētes aut supplicantes (diversi autem sunt
 hi gestus) summittimus sive adorantes atollimus sive
 aliqua demonstratione aut invocatione protendimus:
Vos Albani tumuli atque luci, aut Gracchanum illud:
Quo me miser conferam? in Capitolium? at fratris
 116 *sanguine madet: an domum?* Plus enim adfectus in his
 iunctae exhibent manus; in rebus parvis, mitibus,
 tristibus breves; magnis, laetis, atrocibus exertiores.²
 117 Vitia quoque earum subiicienda sunt, quae quidem
 accidere etiam exercitatis actoribus solent. Nam
 gestum poculum poscentis aut verbera minantis aut
 numerum quingentorum flexo pollice efficientis, quae
 sunt a quibusdam scriptoribus notata, ne in rusticis

¹ a capite eum petere is almost certainly corrupt: gestum for eum is the least improbable correction that has been suggested.

² exertiores, *Spalding*: exteriores, *B.*

¹ The general sense is clear, though the text is unsatisfactory and scarcely translateable.

² *pro Mil.* xxxi. 85.

³ See Cic. *de Or.* iii. lvi. 214.

⁴ *I.e.* crooking the thumb against the forefinger to represent the symbol D.

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- 118 quidem vidi. At ut brachio exerto introspiciatur
latus, ut manum alius ultra sinum proferre non
audeat, alius, in quantum patet longitudo, protendat
aut ad tectum erigat aut repetito ultra laevum
humerum gestu ita in tergum flagellet, ut consistere
post eum parum tutum sit, aut sinistrum ducat
orbem aut temere sparsa manu in proximos offendat
aut cubitum utrumque in diversum latus ventilet,
- 119 saepe scio evenire. Solet esse et pigra et trepida et
secanti similis; interim etiam uncis digitis, ut¹ aut a
capite deiiciatur aut eadem manu supinata in superiora
iactetur. Fit et ille gestus,² qui, inclinato in hu-
merum dextrum capite, brachio ab aure protenso,
manum infesto pollice extendit; qui quidem maxime
placet iis, qui se dicere sublata manu iactant.
- 120 Adicias licet eos, qui sententias vibrantes digitis
iaculantur aut manu sublata denuntiant aut, quod
per se interim recipiendum est, quotiens aliquid
ipsis placuit, in ungues eriguntur; sed vitiosum id
faciunt, aut digito, quantum plurimum possunt,
erecto aut etiam duobus, aut utraque manu ad
- 121 modum aliquid portantium composita. His accedunt
vitia non naturae sed trepidationis, cum ore con-

¹ ut added by Spalding.

² gestus suggested by Halm. The second hand of cod. Bamb. reads habitus, qui esse in statu pacificator solet: presumably an interpolation.

¹ I.e. with exaggerated violence. See II. xii. 9.

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corrente rixari, si memoria fefellerit aut cogitatio
 non suffragetur, quasi faucibus aliquid obstiterit,
 insonare, in adversum tergere nares, obambulare
 sermone imperfecto, resistere subito et laudem
 silentio poscere; quae omnia persequi prope in-
 122 finitum est; sua enim cuique sunt vitia. Pectus
 ac venter ne proiiciantur, observandum; pandant
 enim posteriora, et est odiosa omnis supinitas.
 Latera cum gestu consentiant. Facit enim aliquid
 et totius corporis motus, adeo ut Cicero plus illo agi
 quam manibus ipsis putet. Ita enim dicit in
 Oratore: *Nullae argutiae digitorum, non ad numerum*
articulus cadens, trunco magis toto se ipse moderans et
 123 *virili laterum flexione.* Femur ferire, quod Athenis
 primus fecisse creditur Cleon, et usitatum est et
 indignantes decet et excitat auditorem. Idque in
 Calidio Cicero desiderat; *Non frons, inquit, percussa,*
non femur. Quanquam, si licet, de fronte dissentio.
 Nam etiam complodere manus scenicum est et pectus
 124 caedere. Illud quoque raro decebit cava manu
 summis digitis pectus appetere, si quando nosmet
 ipsos alloquimur, cohortantes, obiurgantes, mise-
 rantes; quod si quando fiet, togam quoque inde
 removeri non dedecebit. In pedibus observantur

¹ xviii. 59.

² Brut. lxxx. 278.

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- status et incessus. Prolato dextro stare et eandem
 125 manum ac pedem proferre, deforme est. In dextrum
 incumbere interim datur sed aequo pectore, qui
 tamen comicus magis quam oratorius gestus est.
 Male etiam in sinistrum pedem insistentium dexter
 aut tollitur aut summis digitis suspenditur. Varicare
 supra modum et in stando deforme est et, accedente
 motu, prope obscenum. Procursio opportuna brevis,
 126 moderata, rara. Conveniet etiam ambulatio quaedam
 propter immodicas laudationum moras, quanquam
 Cicero rarum incessum neque ita longum probat.
 Discursare vero et, quod Domitius Afer de Sura
 Manlio dixit, satagere, ineptissimum, urbaneque
 Flavus Verginius interrogavit de quodam suo anti-
 127 sophiste, quot milia passuum declamasset. Praecipi
 et illud scio, ne ambulantes avertamur a iudicibus,
 sed sint obliqui pedes ad consilium nobis respici-
 entibus. Id fieri iudiciis privatis non potest. Verum
 et breviora sunt spatia, nec aversi diu sumus. In-
 terim tamen recedere sensim datur. Quidam et
 128 resiliunt, quod est plane ridiculum. Pedis suppositio
 ut loco est opportuna, ut ait Cicero, in contentionibus
 aut incipiendis aut finiendis, ita crebra et inepti est

¹ *Orat.* xviii. 59.

² See VI. iii. 54.

³ The normal arrangement was for the president of the court and judges to sit on a *tribunal* or dais. The advocates and parties to the suit were on the ground in front. When pleading before a large jury the orator could walk diagonally, half-facing the jury, without at any rate turning his back on too many at a time. When, however, there was but a single judge, as in a private trial, the feat would be more difficult. But apparently the court took up less room in such cases, and the orator's peregrinations would be but small. See § 134 note.

⁴ *de Or.* iii. lix. 220.

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hominis et desinit iudicem in se convertere. Est et illa indecora in dextrum ac laevum latus vacillatio alternis pedibus insistentium. Longissime fugienda mollis actio, qualem in Titio Cicero dicit fuisse, unde etiam saltationis quoddam genus Titius sit appellatum. Reprehendenda et illa frequens et concitata in utramque partem nutatio, quam in Curione patre irrisit et Iulius, quaerens, quis in lintre loqueretur, et Sicinius; nam cum, adsidente collega, qui erat propter valetudinem et deligatus et plurimis medicamentis delibutus, multum se Curio ex more iactasset, *Nunquam, inquit, Octavi, collegae tuo gratiam referes,* 129 *qui nisi fuisset, hodie te istic muscae comedissent.* Iactantur et humeri; quod vitium Demosthenes ita dicitur emendasse ut, cum in angusto quodam pulpito stans diceret, hasta humero dependens immineret, ut, si calore dicendi vitare id excidissiet, offensione illa commoneretur. Ambulantem loqui ita demum oportet, si in causis publicis, in quibus multi sunt iudices, quod dicimus quasi singulis 131 inculcare peculiariter velimus. Illud non ferendum, quod quidam, reiecta in humerum toga, cum dextra sinum usque ad lumbos reduxerunt, sinistra gestum

¹ Brut. lxii.

² cp. Cic. Brut. lx.

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facientes spatiantur et fabulantur, cum etiam laevam restringere prolata longius dextra sit odiosum. Unde moneor, (ut ne id quidem transeam) ineptissime fieri, cum inter moras laudationum aut in aurem alicuius loquuntur aut cum sodalibus iocantur aut nonnunquam ad librarios suos ita respiciunt, ut sportulam
132 dictare videantur. Inclinari ad iudicem, cum doceas, utique si id de quo loquaris sit obscurius, decet. Incumbere advocato adversis subselliis sedenti contumeliosum. Reclinari etiam ad suos et manibus sustineri, nisi plane iusta fatigatio est, delicatum,
133 sicut palam moneri excidentis aut legere. Namque in his omnibus et vis illa dicendi solvitur et frigescit adfectus et iudex parum sibi praestari reverentiae credit. Transire in diversa subsellia parum verendum est. Nam et Cassius Severus urbane adversus hoc facientem lineas poposcit. Et si aliquando concitate itur, nunquam non frigide
134 reditur. Multum ex iis, quae praecepimus, mutari necesse est ab iis, qui dicunt apud tribunalia. Nam

¹ Asconius (in a note on the *Divinatio* of Cicero) explains that in minor cases tried by *tribuni*, *triumviri*, *quaestores* and other minor officials, the judges sat on ordinary benches, not on a raised *tribunal*.

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- et vultus erectior, ut eum, apud quem dicitur, spectet; et gestus ut ad eundem tendens elatior sit, necesse est; et alia, quae occurrere etiam me tacente omnibus possunt. Itemque ab iis, qui sedentes agent. Nam et fere fit hoc in rebus minoribus, et iidem impetus actionis esse non possunt,
- 135 et quaedam vitia fiunt necessaria. Nam et dexter pes a laeva iudicis sedenti proferendus est, et ex altera parte multi gestus necesse est in sinistrum eant, ut ad iudicem spectent. Equidem plerosque et ad singulas clausulas sententiarum video ad-surgentes et nonnullos subinde aliquid etiam spatiantes, quod an deceat, ipsi viderint; cum id faciunt,
- 136 non sedentes agunt. Bibere aut etiam esse inter agendum, quod multis moris fuit et est quibusdam, ab oratore meo procul absit. Nam si quis aliter dicendi onera perferre non possit, non ita miserum est non agere potiusque multo quam et operis et hominum contemptum fateri.
- 137 Cultus non est proprius oratoris aliquis sed magis in oratore conspicitur. Quare sit, ut in omnibus honestis debet esse, splendidus et virilis. Nam et

¹ Cp. XI. i. 44, which shows that the cases in question are those submitted to arbitration.

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toga et calceus et capillus tam nimia cura quam negligentia sunt reprehendenda. Est aliquid in amictu, quod ipsum aliquatenus temporum conditione mutatum est. Nam veteribus nulli sinus, 138 perquam breves post illos fuerunt. Itaque etiam gestu necesse est usos esse in principiis eos alio, quorum brachium, sicut Graecorum, veste continebatur. Sed nos de praesentibus loquimur. Cui lati clavi ius non erit, ita cingatur, ut tunicae prioribus oris infra genua paulum, posterioribus ad medios poplites usque perveniant. Nam infra 139 mulierum est, supra centurionum. Ut purpura recte descendat, levis cura est; notatur interim negligentia. Latum habentium clavum modus est, ut sit paulum cinctis summissior. Ipsam togam rotundam esse et apte caesam velim, aliter enim multis modis fiet enormis. Pars eius prior mediis cruribus optime terminatur,

¹ In putting on the toga, it was thrown first over the left shoulder, so that about 6 feet hung in front and about 12 behind. This longer portion was then carried round under the right arm and then diagonally across the chest (like a *balteus*, or belt) and over the left shoulder again. A fold of this portion hanging in front formed the *sinus*. The original 6 feet hanging in front from the left shoulder now hung below the rest. A portion was pulled up from above and allowed to hang over the edge of that portion of the toga which Quintilian compares to a *balteus*. This was known as the *umbo*, and is described by Quintilian as *pars quae ultima imponitur*. He recommends that a considerable portion should be thus pulled up and allowed to hang fairly low in front over the edge of the *balteus*, that the weight of the hanging portion might balance the remainder of the original 6 feet of toga hanging from the left shoulder, keep

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- 140 posterior eadem portione altius qua cinctura. Sinus decentissimus, si aliquanto supra imam tunicam¹ fuerit; nunquam certe sit inferior. Ille, qui sub humero dextro ad sinistrum oblique ducitur velut balteus, nec strangulet nec fluat. Pars togae, quae postea imponitur, sit inferior; nam ita et sedet melius et continetur. Subducenda etiam pars aliqua tunicae, ne ad lacertum in actu redeat; tum sinus iniiciendus humero, cuius extremam oram reiecis-
141 se non dedecet. Operiri autem humerum cum toto iugulo non oportet, alioqui amictus fiet angustus et dignitatem, quae est in latitudine pectoris, perdet. Sinistrum brachium eo usque adlevandum est, ut quasi normalem illum angulum faciat, super quod
142 ora ex toga duplex aequaliter sedeat. Manus non impleatur anulis, praecipue medios articulos non transeuntibus; cuius erit habitus optimus adlevato pollice et digitis leviter inflexis, nisi si libellum tenebit. Quod non utique captandum est; videtur enim fateri memoriae diffidentiam et ad multo:
143 gestus est impedimento. Togam veteres ad calceos usque demittebant ut Graeci pallium; idque ut fiat, qui de gestu scripserunt circa tempora illa, Plotius Nigidiusque praecipunt. Quo magis miror Plinii

¹ tunicam, *Spalding*: togam, *MSS*.

¹ Plotius Gallus, a rhetorician, and Nigidius Figulus, an encyclopaedic writer, both contemporaries of Cicero.

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Secundi docti hominis et in hoc utique libro paene etiam nimium curiosi persuasionem, qui solitum id facere Ciceronem velandorum varicum gratia tradit; cum hoc amictus genus in statuis eorum quoque, qui
144 post Ciceronem fuerunt, appareat. Palliolum sicut fascias, quibus crura vestiuntur, et focalia et aurium ligamenta sola excusare potest valetudo.

Sed haec amictus observatio, dum incipimus; procedente vero actu, iam paene ab initio narrationis, sinus ab humero recte velut sponte delabitur, et, cum ad argumenta ac locos ventum est, reiicere a sinistro togam, deiicere etiam, si haereat, sinum
145 conveniet. Laeva a faucibus ac summo pectore abducere licet: ardent enim iam omnia. Et ut vox vehementior ac magis varia est, sic amictus quoque
146 habet actum quendam velut proeliantem. Itaque ut laevam involvere toga et incingi paene furiosum est, sinum vero in dextrum humerum ab imo reiicere solutum ac delicatum, fiuntque adhuc peius aliqua, ita cur laxiorem sinum sinistro brachio non subiici-

¹ This work of the elder Pliny was called *Studiosus*.

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amus? Habet enim acre quiddam atque expeditum
147 et calori concitationique non inhabile. Cum vero
magna pars est exhausta orationis, utique adflante
fortuna, paene omnia decent, sudor ipse et fatigatio
et negligentior amictus et soluta ac velut labens
148 undique toga. Quo magis miror hanc quoque suc-
currisse Plinio curam, ut ita sudario frontem siccari
iuberet, ne comae turbarentur, quas componi post
paulum, sicuti dignum erat, graviter et severe
vetuit. Mihi vero illae quoque turbatae prae se
ferre aliquid adfectus et ipsa oblivione curae huius
149 commendari videntur. At, si incipientibus aut
paulum progressis decidat toga, non reponere eam
prorsus negligentis aut pigri aut quomodo debeat
amiciri nescientis est.

Haec sunt vel illustramenta pronuntiationis vel
vitia, quibus propositis multa cogitare debet orator.
150 Primum, quis, apud quos, quibus praesentibus sit
acturus. Nam ut dicere alia aliis et apud alios magis
concessum est, sic etiam facere. Neque eadem in
voce, gestu, incessu, apud principem, senatum
populum, magistratus, privato, publico iudicio,
324

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postulatione, actione similiter decent. Quam differentiam subiicere sibi quisque, qui animum intenderit, potest; tum qua de re dicat, et efficere
151 quid velit. Rei quadruplex observatio est. Una in tota causa. Sunt enim tristes, hilares, sollicitae, securae, grandes, pusillae, ut vix unquam ita sollicitari partibus earum debeamus, ut non summae
152 meminerimus. Altera, quae est in differentia partium, ut in prooemio, narratione, argumentatione, epilogo. Tertia in sententiis ipsis, in quibus secundum res et adfectus variantur omnia. Quarta in verbis, quorum ut est vitiosa, si efficere omnia velimus, imitatio, ita quibusdam nisi sua natura redditur, vis omnis
153 aufertur. Igitur in laudationibus, nisi si funebres erunt, gratiarum actione, exhortatione, similibus laeta et magnifica et sublimis est actio. Funebres contiones, consolationes, plerumque causae reorum tristes atque summissae. In senatu conservanda auctoritas, apud populum dignitas, in privatis modus.

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De partibus causae et sententiis verbisque, quae sunt multiplicia, pluribus dicendum.

- 154 Tria autem praestare debet pronuntiatio : conciliet, persuadeat, moveat, quibus natura cohaeret, ut etiam delectet. Conciliatio fere aut commendatione morum, qui nescio quomodo ex voce etiam atque actione pellucet, aut orationis suavitate constat ; persuadendi vis adfirmatione, quae interim plus ipsis
155 probationibus valet. *An ista, inquit Calidio Cicero, si vera essent, sic a te dicerentur ? et, Tantum abfuit, ut inflammares nostros animos ; somnum isto loco vix tenebamus.* Fiducia igitur appareat et constantia,
156 utique si auctoritas subest. Movendi autem ratio aut in repraesentandis est aut imitandis adfectibus. Ergo cum iudex in privatis aut praeco in publicis dicere de causa iusserit, leniter consurgendum ; tum in componenda toga vel, si necesse erit, etiam ex integro iniicienda, dumtaxat in iudiciis (apud principem enim et magistratus ac tribunalia non licebit), paulum est commorandum, ut et amictus sit decentior
157 et protinus aliquid spatii ad cogitandum. Etiam

¹ *Brut.* lxxx. 278.

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cum ad iudicem nos converterimus, et consultus praetor permiserit dicere, non protinus est erumpendum, sed danda brevis cogitationi mora. Mire enim auditurum dicturi cura delectat, et iudex se
158 ipse componit. Hoc praecipit Homerus Ulixis exemplo, quem stetisse oculis in terram defixis immotoque sceptro, priusquam illam eloquentiae procellam effunderet, dicit. In hac cunctatione sunt quaedam non indecentes, ut appellant scenici, morae, caput mulcere, manum intueri, infringere articulos, simulare conatum, suspiratione sollicitudinem fateri, aut quod quemque magis decet, eaque diutius, si iudex nondum intendet animum.
159 Status sit rectus, aequi et diducti paulum pedes vel procedens minimo momento sinister; genua recta, sic tamen, ut non extendantur; humeri remissi, vultus severus, non maestus nec stupens nec languidus; brachia a latere modice remota; manus sinistra, qualem supra demonstravi; dextra, cum iam incipiendum erit, paulum prolata ultra sinum gestu quam modestissimo, velut spectans
160 quando incipiendum sit. Vitiosa enim sunt illa, intueri lacunaria, perfricare faciem et quasi improbam facere, tendere confidentia vultum aut, quo sit magis

¹ *Il. iii.* 217.

² *Sect.* 142.

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torvus, superciliis adstringere, capillos a fronte contra naturam retroagere, ut sit horror ille terribilis; tum, id quod Graeci frequentissime faciunt, crebro digitorum labiorumque motu commentari, clare excreare, pedem alterum longe proferre, partem togae sinistra tenere, stare diductum vel rigidum vel supinum vel incurvum vel humeris, ut luctaturi solent, ad occipitium ductis.

- 161 Prooemio frequentissime lenis convenit pronuntiatio. Nihil enim est ad conciliandum gratius verecundia, non tamen semper; neque enim uno modo dicuntur exordia, ut docui. Plerumque tamen et vox temperata et gestus modestus et sedens humero toga et laterum lenis in utramque partem motus,
- 162 eodem spectantibus oculis, decebit. Narratio magis prolatam manum, amictum recidentem, gestum distinctum, vocem sermoni proximam et tantum acriorem, sonum simplicem frequentissime postulabit in his dumtaxat: *Q. enim Ligarius, cum esset in Africa nulla belli suspicio, et A. Cluentius Habitus pater huiusce.* Aliud in eadem poscent adfectus, vel concitati Nubit

¹ IV. i. 40.

³ *pro Cluent.* v. 11.

² *pro Lig.* i. 2.

⁴ *pro Cluent.* v. 14.

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- genero socrus, vel flebiles Constituitur in foro Laodiceae
spectaculum acerbum et miserum toti Asiae provinciae.*
- 163 Maxime varia et multiplex actio est probationum.
Nam et proponere, partiri, interrogare sermoni sunt
proxima, et contradictionem sumere : nam ea quoque
diversa propositio est. Sed haec tamen aliquando
- 164 irridentes, aliquando imitantes pronuntiamus. Argu-
mentatio plerumque agilior et acrior et instantior
consentientem orationi postulat etiam gestum, id est
fortem celeritatem. Instandum quibusdam in partibus
et densanda oratio. Egressiones fere lenes et dulces
et remissae, raptus Proserpinae, Siciliae descriptio,
Cn. Pompeii laus. Neque enim mirum minus habere
- 165 contentionis ea quae sunt extra quaestionem. Mollior
nonnunquam cum reprehensione diversae partis imi-
tatio : *Videbar videre alios intrantes, alios autem exeuntes,
quosdam ex vino vacillantes.* Ubi non dissidens a voce
permittitur gestus quoque, in utramque partem tenera
quaedam, sed intra manus tamen et sine motu laterum
- 166 translatio. Accendendi iudicis plures sunt gradus.

¹ Verr. I. xxx. 76. ² cp. IV. iii. 13.

³ In the lost *pro Cornelio*: cp. IV. iii. 13.

⁴ From the lost *pro Gallio*.

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Summus ille et quo nullus est in oratore acutior:
Suscepto bello, Caesar, gesto iam etiam ex parte magna.
 Praedixit enim: *Quantum potero voce contendam, ut*
populus hoc Romanus exaudiat. Paulum inferior et
 habens aliquid iam iucunditatis: *Quid enim tuus ille,*
 167 *Tubero, in acie Pharsalica gladius agebat?* Plenius
 adhuc et lentius ideoque dulcius: *In coetu vero populi*
Romani negotium publicum gerens. Producenda omnia
 trahendaeque tum vocales aperiendaeque sunt fauces.
 Pleniore tamen haec canali fluunt: *Vos, Albani tumuli*
atque luci. Iam cantici quiddam habent sensimque
 resupina sunt: *Saxa atque solitudines voci respondent.*
 168 Tales sunt illae inclinationes vocis, quas invicem
 Demosthenes atque Aeschines exprobrant, non ideo
 improbandae; cum enim uterque alteri obiiciat, palam
 est utrumque fecisse. Nam neque ille per Marathonis
 et Plataearum et Salaminis propugnatores recto sono
 169 iuravit, nec ille Thebas sermone deflevit. Est his
 diversa vox et paene extra organum, cui Graeci

¹ *pro Lig.* iii. 7 and 6.

³ *Phil.* ii. xxv. 63.

⁵ *pro Arch.* viii. 19.

⁸ *De Cor.* 60.

² *pro Lig.* iii. 9.

⁴ *pro Mil.* xxxi. 85.

⁶ *de Cor.* 90. ⁷ *In Ctes.* 72.

⁹ *In Ctes.* 49.

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nomen amaritudinis dederunt, super modum ac paene naturam vocis humanae acerba : *Quin compescitis vocem istam, indicem stultitiae, testem paucitatis ?* Sed id, quod excedere modum dixi, in illa parte prima est : *Quin compescitis.*

170 Epilogus, si enumerationem rerum habet, desiderat quandam concisorum continuationem ; si ad concitandos iudices est accommodatus, aliquid ex iis, quae supra dixi ; si placandos, inclinatam quandam lenitatem ; si misericordia commovendos, flexum vocis et flebilem suavitatem, qua praecipue franguntur animi, quaeque est maxime naturalis. Nam etiam orbos viduasque videas in ipsis funeribus canoro quo-
171 dam modo proclamantes. Hic etiam fusca illa vox, qualem Cicero fuisse in Antonio dicit, mire faciet ; habet enim in se, quod imitatur. Duplex est tamen miseratio, altera cum invidia, qualis modo dicta de damnatione Philodami, altera cum deprecatione
172 demissior. Quare, etiamsi est in illis quoque cantus obscurior, *In coetu vero populi Romani* (non enim haec

¹ *pro Rab. perd.* vi. 18.

² *Brut.* xxxviii. 141.

³ § 162.

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rixantis modo dixit); et *Vos, Albani tumuli* (non enim, quasi inclamaret aut testaretur, locutus est), tamen infinito magis illa flexa et circumducta sunt: *Me miserum, me infelicem, et Quid respondebo liberis meis?* et *Revocare tu me in patriam potuisti, Milo, per hos; ego te in eadem patria per eosdem retinere non potero?* et cum bona C. Rabirii nummo¹ sestertio addicit:

173 *O meum, miserum acerbunque praeconium.* Illa quoque mire facit in peroratione velut deficientis dolore et fatigatione confessio, ut pro eodem Milone, *Sed finis sit; neque enim prae lacrimis iam loqui possum.* Quae similem verbis habere debent etiam pronuntiationem.

174 Possunt videri alia quoque huius partis atque officii, reos excitare, pueros attollere, propinquos producere, vestes laniare; sed suo loco dicta sunt.

Et quia in partibus causae talis² est varietas, satis apparet, accommodandam sententiis ipsis pronuntiationem, sicut ostendimus, sed verbis quoque, quod

175 novissime dixeram, non semper, sed aliquando. An non hoc *misellus et pauperculus* summissa atque contracta, *fortis et vehemens et latro* erecta et concitata

¹ nummo, *Bentley*: uno, *MSS.*

² causa talis, *ed. Camp*: causa et aliis, *B.*

¹ *pro Mil.* xxxvii. 102.

² *pro Rab. Post.* xvii. 46. *addicit*, lit. "knocks down": *praeconium*, lit. "the task of the public crier."

³ *pro Mil.* xxxviii. 105.

⁴ vi. i. 30.

⁵ § 173.

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voce dicendum est? Accedit enim vis et proprietas rebus tali adstipulatione, quae nisi adsit, aliud vox, 176 aliud animus ostendat. Quid? quod eadem verba mutata pronuntiatione indicant, adfirmant, exprobrant, negant, mirantur, indignantur, interrogant, irrident, elevant? Aliter enim dicitur: *Tu mihi quodcunque hoc regni* et *Cantando tu illum?* et *Tunc ille Aeneas?* et *Meque timoris Argue tu, Drance.* Et ne morer, intra se quisque vel hoc vel aliud, quod volet, per omnes adfectus verset, verum esse quod dicimus sciet.

177 Unum iam his adiiciendum est, cum praecipue in actione spectetur decorum, saepe aliud alios decere. Est enim latens quaedam in hoc ratio et inenarrabilis; et ut vere hoc dictum est, caput esse artis decere quod facias, ita id neque sine arte esse neque

¹ *Aen.* i. 78.

² *Ecl.* iii. 25.

³ *Aen.* i. 617.

⁴ *Aen.* xi. 383.

⁵ *de Or.* i. xxix. 132

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178 totum arte tradi potest. In quibusdam virtutes non
habent gratiam, in quibusdam vitia ipsa delectant.
Maximos actores comoediarum, Demetrium et Strato-
clea, placere diversis virtutibus vidimus. Sed illud
minus mirum, quod alter deos et iuvenes et bonos
patres servosque et matronas et graves anus optime,
alter acres senes, callidos servos, parasitos, lenonēs
et omnia agitationora melius: fuit enim natura diversa.
Nam vox quoque Demetrii iucundior, illius acrior
179 erat. Adnotandae magis proprietates, quae trans-
ferri non poterant, manus iactare et dulces exclamations
theatri causa producere et ingrediendo
ventum concipere veste et nonnunquam dextro latere
facere gestus, quod neminem alium nisi Demetrium
decurrit; namque in haec omnia statura et mira specie
180 adiuwabatur; illum cursus et agilitas et vel parum
conveniēns personae risus, quem non ignarus rationis
populo dabat, et contracta etiam cervicula. Quid-
quid horum alter fecisset, foedissimum videretur.

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Quare norit se quisque, nec tantum ex communibus
praeceptis, sed etiam ex natura sua capiat consilium
181 formandae actionis. Neque illud tamen est nefas,
ut aliquem vel omnia vel plura deceant. Huius
quoque loci clausula sit eadem necesse est, quae
ceterorum est, regnare maxime modum. Non enim
comoedum esse, sed oratorem volo. Quare neque
in gestu persequemur omnes argutias nec in loquendo
distinctionibus, temporibus, adfectionibus moleste
182 utemur. Ut si sit in scena dicendum:

*Quid igitur faciam? non eam, ne nunc quidem,
Cum arcessor ultro? an potius ita me comparem,
Non perpeti meretricum contumelias?*

Hic enim dubitationis moras, vocis flexus, varias
manus, diversos nutus actor adhibebit. Aliud oratio
sapit nec vult nimium esse condita; actione enim
183 constat, non imitatione. Quare non immerito repre-
henditur pronuntiatio vultuosa et gesticulationibus
molesta et vocis mutationibus resultans. Nec inutiliter
ex Graecis veteres transtulerunt, quod ab iis sumptum
Laenas Popilius posuit, esse hanc negotiosam¹ actio-
184 nem. Optime igitur idem, qui omnia, Cicero prae-

¹ negotiosam, *Halm*: mocosam, *B*.

¹ Ter. *Eun.* I. i. l.

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ceperat, quae supra ex Oratore posui ; quibus similia in Bruto de M. Antonio dicit. Sed iam recepta est actio paulo agitatior et exigitur et quibusdam partibus convenit, ita tamen temperanda, ne, dum actoris captamus elegantiam, perdamus viri boni et gravis auctoritatem.

LIBER XII

PROOEMIUM

VENTUM est ad partem operis destinati longe gravissimam. Cuius equidem onus si tantum opinione prima concipere potuissem, quanto me premi ferens sentio, maturius consuluissem vires meas. Sed initio pudor omittendi, quae promiseram, tenuit; mox, quanquam per singulas prope partes labor cresceret, ne perderem, quae iam effecta erant, per omnes
2 difficultates animo me sustentavi. Quare nunc quoque, licet maior quam unquam moles premat, tamen prospicienti finem mihi constitutum est vel deficere potius quam desperare. Fefellit autem quod initium a parvis ceperamus. Mox velut aura sollicitante provecti longius, dum tamen nota illa et plerisque artium scriptoribus tractata praecipimus, nec adhuc
3 a litore procul videbamur et multos circa velut iisdem se ventis credere ausos habebamus. Iam cum eloquendi rationem novissime repertam paucissimisque

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temptatam ingressi sumus, rarus, qui tam procul a portu recessisset, reperiabatur. Postquam vero nobis ille, quem instituebamus, orator a dicendi magistris dimissus aut suo iam impetu fertur aut maiora sibi auxilia ex ipsis sapientiae penetralibus petit, quam
 4 in altum sinus ablati sentire coepimus. Nunc *caelum undique et undique pontus*. Unum modo in illa immensa vastitate cernere videmur M. Tullium, qui tamen ipse, quamvis tanta atque ita instructa nave hoc mare ingressus, contrahit vela inhihetque remos et de ipso demum genere dicendi, quo sit usus perfectus orator, satis habet dicere. At nostra temeritas etiam mores ei conabitur dare et adsignabit officia. Ita nec antecedentem consequi possumus, et longius eundum est, ut res feret. Probabilis tamen cupiditas honestorum et velut tutioris¹ audentiae est temptare, quibus paratior venia est.

I. Sit ergo nobis orator, quem constituimus, is, qui a M. Catone finitur, *vir bonus dicendi peritus*; verum, id quod et ille posuit prius et ipsa natura potius ac maius est, utique vir bonus. Id non eo tantum, quod, si vis illa dicendi malitiam instruxerit, nihil sit publicis privatisque rebus perniciosius elo-

¹ velut tutioris, *Obrecht*: velutioris, *B*.

¹ *Aen.* iii. 193.

² *cp.* I. *Pr.* 9.

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- quentia, nosque ipsi, qui pro virili parte conferre aliquid ad facultatem dicendi conati sumus, pessime mereamur de rebus humanis, si latroni comparamus.
- 2 haec arma, non militi. Quid de nobis loquor? Rerum ipsa natura in eo, quod praecipue indulsisse homini videtur quoque nos a ceteris animalibus separasse, non parens, sed noverca fuerit, si facultatem dicendi, sociam scelerum, adversam innocentiae, hostem veritatis invenit. Mutos enim nasci et egere omni ratione satius fuisset quam providentiae munera in mutuam perniciem convertere.
- 3 Longius tendit hoc iudicium meum. Neque enim tantum id dico, eum, qui sit orator, virum bonum esse oportere, sed ne futurum quidem oratorem nisi virum bonum. Nam certe neque intelligentiam concesseris iis qui, proposita honestorum ac turpium via, peiorem sequi malent, neque prudentiam, cum in gravissimas frequenter legum, semper vero malae conscientiae poenas a semet ipsis improvise rerum exitu induantur.
- 4 Quodsi neminem malum esse nisi stultum eundem non modo a sapientibus dicitur, sed vulgo quoque semper est creditum, certe non fiet unquam stultus orator. Adde quod ne studio quidem operis pulcherrimi vacare mens nisi omnibus vitiis libera potest: primum quod in eodem pectore nullum est honestorum turpiumque consortium, et cogitare optima simul ac deterrima non magis est unius animi quam

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5 eiusdem hominis bonum esse ac malum; tum illa quoque ex causa, quod mentem tantae rei intentam vacare omnibus aliis etiam culpa carentibus curis oportet. Ita demum enim libera ac tota, nulla dstringente atque alio ducente causa, spectabit id
6 solum ad quod accingitur. Quodsi agrorum nimia cura et sollicitior rei familiaris diligentia et venandi voluptas et dati spectaculis dies multum studiis auferunt (huic enim rei perit tempus, quodcunque alteri datur), quid putamus facturas cupiditatem, avaritiam, invidiam, quarum impotentissimae cogitationes somnos etiam ipsos et illa per quietem visa perturbent?
7 Nihil est enim tam occupatum, tam multiforme, tot ac tam variis adfectibus concisum atque laceratum quam mala mens. Nam et cum insidiatur, spe, curis, labore dstringitur; et etiam cum sceleris compos fuit, sollicitudine, paenitentia, poenarum omnium expectatione torquetur. Quis inter haec litteris aut ulli bonae arti locus? Non hercule magis quam frugibus in terra sentibus ac rubis occupata.
8 Age, non ad perferendos studiorum labores necessaria frugalitas? Quid ergo ex libidine ac luxuria spei? Non praecipue acuit ad cupiditatem litterarum amor

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laudis? Num igitur malis esse laudem curae putamus?
Iam hoc quis non videt, maximam partem orationis
in tractatu aequi bonique consistere? Dicetne de
his secundum debitam rerum dignitatem malus atque
9 iniquus? Denique, ut maximam partem quaestionis
eximam, demus, id quod nullo modo fieri potest,
idem ingenii, studii, doctrinae, pessimo atque optimo
viro: uter melior dicetur orator? Nimirum qui homo
quoque melior. Non igitur unquam malus idem
10 homo et perfectus orator. Non enim perfectum est
quidquam, quo melius est aliud. Sed, ne more
Socraticorum nobismet ipsi responsum finxisse vide-
amur, sit aliquis adeo contra veritatem obstinatus,
ut audeat dicere, eodem ingenio, studio, doctrina
praeditum nihilo deteriore futurum oratorem malum
virum quam bonum: convincamus huius quoque
11 amentiam. Nam hoc certe nemo dubitabit, omnem
orationem id agere, ut iudici, quae proposita fuerint,
vera et honesta videantur. Utrum igitur hoc facilius
bonus vir persuadebit an malus? Bonus quidem et
12 dicet saepius vera atque honesta. Sed etiam si
quando aliquo ductus officio (quod accidere, ut mox
docebitur, potest) falso haec adfirmare conabitur,

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- maiore cum fide necesse est audiat. At malis hominibus ex contemptu opinionis et ignorantia recti nonnunquam excidit ipsa simulatio. Inde immodeste
- 13 proponunt, sine pudore adfirmant. Sequitur in iis, quae certum est effici non posse, deformis pertinacia et irritus labor. Nam sicut in vita, ita in causis quoque spes improbas habent. Frequenter autem accidit, ut iis etiam vera dicentibus fides desit, videaturque talis advocatus malae causae argumentum.
- 14 Nunc de iis dicendum est, quae mihi quasi con-
spiratione quadam vulgi reclamari videntur. Orator ergo Demosthenes non fuit? atqui malum virum accepimus. Non Cicero? atqui huius quoque mores multi reprehenderunt. Quid agam? magna responsi invidia subeunda est, mitigandae sunt prius aures.
- 15 Mihi enim nec Demosthenes tam gravi morum dignus videtur invidia, ut omnia, quae in eum ab inimicis congesta sunt, credam, cum et pulcherrima eius in re publica consilia et finem vitae clarum
- 16 legam, nec Marco Tullio defuisse video in ulla parte civis optimi voluntatem. Testimonio est actus nobilissime consulatus, integerrime provincia administrata et repudiatus vigintiviratus, et civilibus bellis, quae
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- in aetatem eius gravissima inciderunt, neque spe
neque metu declinatus animus, quo minus optimis
17 se partibus, id est rei publicae, iungeret. Parum
fortis videtur quibusdam, quibus optime respondit
ipse, *non se timidum in suscipiendis, sed in providendis*
periculis; quod probavit morte quoque ipsa, quam
18 praestantissimo suscepit animo. Quodsi defuit his
viris summa virtus, sic quaerentibus, an oratores
fuerint, respondebo, quomodo Stoici, si interrogentur
an sapiens Zeno, an Cleanthes, an Chrysippus ipse,
respondeant, magnos quidem illos ac venerabiles,
non tamen id, quod natura hominis summum habet,
19 consecutos. Nam et Pythagoras non sapientem se,
ut qui ante eum fuerunt, sed studiosum sapientiae
vocari voluit. Ego tamen secundum communem
loquendi consuetudinem saepe dixi dicamque, per-
fectum oratorem esse Ciceronem; ut amicos et bonos
viros et prudentissimos dicimus vulgo, quorum nihil
nisi perfecte sapienti datur. Sed cum proprie et ad
legem ipsam veritatis loquendum erit, eum quaeram
20 oratorem, quem et ille quaerebat. Quanquam enim
stetisse ipsum in fastigio eloquentiae fateor, ac vix,
quid adiici potuerit, invenio, fortasse inventurus,

¹ For the distribution of the Campanian lands.

² *i. e.* φιλόσοφος, a term of which he was reputed the inventor.

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quod adhuc abscisurum putem fuisse (nam fere sic docti iudicaverunt, plurimum in eo virtutum, nonnihil fuisse vitiorum, et se ipse multa ex illa iuvenili abundantia coercuisse testatur), tamen, quando nec sapientis sibi nomen, minime sui contemptor, asseruit et melius dicere, certe data longiore vita et tempore¹ ad componendum securiore, potuisset, non
 21 quam nemo propius accessit. Et licebat, si aliter sentirem, fortius id liberiusque defendere. An vero M. Antonius neminem a se visum eloquentem, quod tanto minus erat, professus est; ipse etiam M. Tullius quaerit adhuc eum et tantum imaginatur ac fingit, ego non audeam dicere, aliquid in hac, quae superest, aeternitate inveniri posse eo, quod fuerit, per-
 22 fectius? Transeo illos, qui Ciceroni ac Demostheni ne in eloquentia quidem satis tribuunt; quanquam neque ipsi Ciceroni Demosthenes videatur satis esse perfectus, quem dormire interim dicit, nec Cicero Bruto Calvoque, qui certe compositionem illius etiam apud ipsum reprehendunt, nec Asinio utrique, qui vitia orationis eius etiam inimice pluribus locis insequuntur.

¹ tempore, *Burman*: te, *B.*

¹ *Brut.* xci. 316. *Orat.* xxx. 107.

² Quintilian's reverence for Cicero is such that he feels hampered in maintaining his thesis.

³ See x. i. 24.

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- 23 Concedamus sane, quod minime natura patitur, repertum esse aliquem malum virum summe disertum: nihilo tamen minus oratorem eum negabo. Nam nec omnibus, qui fuerint manu prompti, viri fortis nomen concesserim, quia sine virtute intelligi
- 24 non potest fortitudo. An ei, qui ad defendendas causas advocatur, non est opus fide, quam nec cupiditas corrumpat nec gratia avertat nec metus frangat; sed proditorem, transfugam, praevaricatorem donabimus oratoris illo sacro nomine? Quodsi mediocribus etiam patronis convenit haec, quae vulgo dicitur, bonitas, cur non orator ille, qui nondum fuit, sed potest esse, tam sit moribus quam dicendi virtute
- 25 perfectus? Non enim forensem quandam instituimus operam nec mercennariam vocem nec, ut asperioribus verbis parcamus, non inutilem sane litium advocatum, quem denique causidicum vulgo vocant, sed virum cum ingenii natura praestantem tum vero tot pulcherrimas artes penitus mente complexum, datum tandem rebus humanis, qualem nulla antea vetustas cognoverit, singularem perfectumque undi-
- 26 que, optima sentientem optimeque dicentem. In hoc quota pars erit, quod aut innocentes tuebitur aut improborum scelera compescet, aut in pecuniariis quaestionibus veritati contra calumniam aderit? Summus ille quidem in his quoque operibus fuerit. sed maioribus clarius elucebit, cum regenda senatus
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- 27 consilia et popularis error ad meliora ducendus. An non talem quendam videtur finxisse Vergilius, quem in seditione vulgi iam faces et saxa iaculantis moderatorem dedit:

*Tum pietate gravem ac meritis si forte virum quem
Conspexere, silent arrectisque auribus adstant?*

Habemus igitur ante omnia virum bonum, post haec adiiciet dicendi peritum:

Ille regit dictis animos et pectora mulcet.

- 28 Quid? non in bellis quoque idem ille vir, quem instituimus, si sit ad proelium miles cohortandus, ex mediis sapientiae praeceptis orationem trahet? Nam quomodo pugnam ineuntibus tot simul metus laboris, dolorum, postremo mortis ipsius exciderint, nisi in eorum locum pietas et fortitudo et honesti
29 praesens imago successerit? Quae certe melius persuadebit aliis qui prius persuaserit sibi. Prodit enim se, quamlibet custodiatur, simulatio, nec unquam tanta fuerit loquendi facultas, ut non titubet atque haereat,¹ quotiens ab animo verba dissentiunt. Vir autem malus aliud dicat necesse est quam sentit.
30 Bonos nunquam honestus sermo deficiet, nunquam rerum optimarum (nam iidem etiam prudentes erunt)

¹ atque haereat, *Buttmann*: adhaereat, *B*.

¹ *Aen.* i. 151 sqq.

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- inventio; quae etiamsi lenociniis destituta sit, satis tamen natura sua ornatur nec quidquam non diserte,
- 31 quod honeste, dicitur. Quare, iuventus, immo omnes aetates, (neque enim rectae voluntati serum est tempus ullum) totis mentibus huc tendamus, in hoc elaboremus; forsitan et consummare contingat. Nam si natura non prohibet et esse virum bonum et esse dicendi peritum, cur non aliquis etiam unus utrumque
- 32 consequi possit? cur autem non se quisque speret fore illum aliquem? Ad quod si vires ingenii non suffecerint, tamen ad quem usque modum processerimus, meliores erimus ex utroque. Hoc certe procul eximatur animo, rerum¹ pulcherrimam eloquentiam cum vitiis mentis posse misceri. Facultas dicendi, si in malos incidit, et ipsa iudicanda est malum; peiores enim illos facit, quibus contigit.
- 33 Videor mihi audire quosdam (neque enim deerunt unquam, qui disertis esse quam boni malint) illa dicentes: Quid ergo tantum est artis in eloquentia? cur tu de coloribus et difficilium causarum defensione, nonnihil etiam de confessione locutus es, nisi aliquando vis ac facultas dicendi expugnat ipsam veritatem? Bonus enim vir non agit nisi bonas causas, eas porro etiam sine doctrina satis per se
- 34 tuetur veritas ipsa. Quibus ego, cum de meo pri-

¹ rerum, *Regius*: rem, *B.*

¹ *color* is a technical term for "the particular aspect given to a case by skilful manipulation of the facts—the 'gloss' or 'varnish' put on them by the accused or accuser."—*Peterson on Quint.* x. i. 116.

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mum opere respondero, etiam pro boni viri officio, si quando eum ad defensionem nocentium ratio duxerit, satisfaciam. Pertractare enim, quomodo aut pro falsis aut etiam pro iniustis aliquando dicatur, non est inutile, vel propter hoc solum, ut ea facilius et deprehendamus et refellamus; quemadmodum remedia melius adhibebit, cui nota quae nocent
35 fuerint. Neque enim Academici, cum in utramque disserunt partem, non secundum alteram vivunt, nec Carneades ille, qui Romae audiente Censorio Catone non minoribus viribus contra iustitiam dicitur disse-
ruisse quam pridie pro iustitia dixerat, iniustus ipse vir fuit. Verum et virtus quid sit, adversa ei malitia detegit, et aequitas fit ex iniqui contemplatione manifestior, et plurima contrariis probantur. Debent
36 ergo oratori sic esse adversariorum nota consilia ut hostium imperatori. Verum et illud, quod prima propositione durum videtur, potest adferre ratio, ut vir bonus in defensione causae velit auferre aliquando iudici veritatem. Quod si quis a me proponi mirabitur, (quanquam non est haec mea proprie sententia, sed eorum, quos gravissimos sapientiae magistros aetas vetus credidit) sic iudicet, pleraque

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esse, quae non tam factis quam causis eorum vel
37 honesta fiant vel turpia. Nam si hominem occidere
saepe virtus, liberos necare nonnunquam pulcherri-
mum est, asperiora quaedam adhuc dictu, si com-
munis utilitas exegerit, facere conceditur, ne hoc
quidem nudum est intuendum, qualem causam vir
38 bonus, sed etiam quare et qua mente defendat. Ac
primum concedant mihi omnes oportet, quod Stoi-
corum quoque asperrimi confitentur, facturum ali-
quando virum bonum ut mendacium dicat, et quidem
nonnunquam levioribus causis, ut in pueris aegro-
tantibus utilitatis eorum gratia multa fingimus,
39 multa non facturi promittimus; nedum si ab homine
occidendo grassator avertendus sit aut hostis pro
salute patriae fallendus; ut hoc, quod alias in servis
quoque reprehendendum est, sit alias in ipso sapiente
laudandum. Id si constiterit, multa iam video posse
evenire, propter quae orator bene suscipiat tale
causae genus, quale remota ratione honesta non
40 recepisset. Nec hoc dico (quia severiores sequi
placet leges) pro patre, fratre, amico periclitantibus,
tametsi non mediocris haesitatio est, hinc iustitiae
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proposita imagine, inde pietatis. Nihil dubii relin-
quamus. Sit aliquis insidiatus tyranno atque ob id
reus: utrumne salvum eum nolet is, qui a nobis
finitur, orator? an, si tuendum suscepit, non tam
falsis defendet, quam qui apud iudices malam causam
41 tuetur? Quid si quaedam bene facta damnaturus
est iudex, nisi ea non esse facta convicerimus, non
vel hoc modo servabit orator non innocentem modo,
sed etiam laudabilem civem? Quid si quaedam
iusta natura, sed condicione temporum inutilia civi-
tati sciemus, nonne utemur arte dicendi bona qui-
42 dem, sed malis artibus simili? Ad hoc nemo
dubitabit, quin, si nocentes mutari in bonam mentem
aliquo modo possint, sicut posse conceditur, salvos
esse eos magis e re publica sit quam puniri. Si
liqueat igitur oratori futurum bonum virum, cui vera
43 obiicientur, non id aget, ut salvus sit? Da nunc,
ut crimine manifesto prematur dux bonus et sine
quo vincere hostem¹ civitas non possit: nonne ei
communis utilitas oratorem advocabit? Certe Fa-
bricius Cornelium Rufinum, et alioqui malum civem

¹ hostem, *Obrecht*: honestem, *B*.

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et sibi inimicum, tamen, quia utilem sciebat ducem, imminente bello, palam consulem suffragio suo fecit atque id mirantibus quibusdam respondit, a cive se spoliari malle quam ab hoste venire. Ita, si fuisset orator, non defendisset eundem Rufium vel mani-
44 festi peculatus reum? Multa dici possunt similia, sed vel unum ex iis quodlibet sufficit. Non enim hoc agimus, ut istud illi, quem formamus, viro saepe sit faciendum; sed ut, si talis coegerit ratio, sit tamen vera finitio, *oratorem esse virum bonum dicendi*
45 *peritum*. Praecipere vero ac discere, quomodo etiam probatione difficilia tractentur, necessarium est. Nam frequenter etiam optimae causae similes sunt malis, et innocens reus multis verisimilibus premitur; quo fit, ut eadem actionis ratione defendendus sit, qua si nocens esset. Iam innumerabilia sunt bonis causis malisque communia, testes, litterae, suspensiones, opiniones. Non aliter autem verisimilia quam vera et confirmantur et refelluntur. Quapropter, ut res feret, flectetur oratio manente honesta voluntate.

II. Quando igitur orator est vir bonus, is autem citra virtutem intelligi non potest, virtus, etiamsi

¹ The date is uncertain, but the reference must be either to the Samnite war of 290 or the war with Pyrrhus.

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quosdam impetus ex natura sumit, tamen perficienda doctrina est: mores ante omnia oratori studiis erunt excolendi atque omnis honesti iustique disciplina pertractanda, siue qua nemo nec vir bonus esse nec
2 dicendi peritus potest. Nisi forte accedemus iis, qui natura constare mores et nihil adiuvari disciplina putant; scilicet ut ea quidem, quae manu fiunt, atque eorum etiam contemptissima confiteantur egere doctoribus, virtutem vero, qua nihil homini, quo ad deos immortales propius accederet, datum est, obviam et illaboratam, tantum quia nati simus, habeamus. Abstinens erit qui id ipsum, quid sit abstinencia,
3 ignoret? Et fortis qui metus doloris, mortis, superstitionis nulla ratione purgaverit? Et iustus qui aequi bonique tractatum, qui leges, quaeque natura sunt omnibus datae quaeque propriae populis et gentibus constitutae, nunquam eruditore aliquo sermone tractarit? O quam istud parvum¹ putant,
4 quibus tam facile videtur! Sed hoc transeo, de quo neminem, qui litteras vel primis, ut aiunt, labris degustarit, dubitaturum puto. Ad illud sequens praevertar, ne dicendi quidem satis peritum fore,
5 et mores praeceptis ac ratione formarit. Neque

¹ parvum, *Spalding*: parum, *B.*

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enim frustra in tertio de Oratore libro L. Crassus cuncta, quae de aequo, iusto, vero, bono deque iis, quae sunt contra posita, dicantur, propria esse oratoris adfirmat, ac philosophos, cum ea dicendi viribus tuentur, uti rhetorum armis, non suis. Idem tamen confitetur, ea iam esse a philosophia petenda, videlicet quia magis haec illi videtur in possessione earum
6 rerum fuisse. Hinc etiam illud est, quod Cicero pluribus libris et epistolis testatur dicendi facultatem ex intimis sapientiae fontibus fluere, ideoque aliquamdiu praeceptores eosdem fuisse morum atque dicendi. Quapropter haec exhortatio mea non eo pertinet ut esse oratorem philosophum velim, quando non alia vitae secta longius a civilibus officiis atque
7 ab omni munere oratoris recessit. Nam quis philosophorum aut in iudiciis frequens aut clarus in contionibus fuit? Quis denique in ipsa, quam maxime plerique praecipunt, rei publicae administratione versatus est? Atqui ego illum, quem instituo, Romanum quendam velim esse sapientem, qui non secretis disputationibus, sed rerum experimentis atque operi-
8 bus vere civilem virum exhibeat. Sed quia deserta ab his, qui se ad eloquentiam contulerunt, studia sapientiae non iam in actu suo atque in hac fori luce versantur, sed in porticus et in gymnasia primum,

¹ Chs. xx. xxvii. and xxxi.

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mox in conventus scholarum recesserunt: id, quod est oratori necessarium nec a dicendi praeceptoribus traditur, ab iis petere nimirum necesse est, apud quos remansit, evolvendi penitus auctores, qui de virtute praecipunt, ut oratoris vita cum scientia
9 divinarum rerum sit humanarumque coniuncta. Quae ipsae quanto maiores ac pulchriores viderentur, si illas ii docerent, qui etiam eloqui praestantissime possent? Utinamque sit tempus unquam, quo perfectus aliquis, qualem optamus, orator hanc artem superbo nomine et vitiis quorundam bona eius corrumpentium invisam vindicet sibi ac, velut rebus
10 repetitis, in corpus eloquentiae adducat. Quae quidem cum sit in tris divisa partes, naturalem,*
moralem, rationalem, qua tandem non est cum oratoris opere coniuncta?

Nam ut ordinem retro agamus, de ultima illa, quae tota versatur in verbis, nemo dubitaverit, si et proprietates vocis cuiusque nosse et ambigua aperire et perplexa discernere et de falsis iudicare et colligere ac resolvere quae velis oratorum est.
11 Quanquam ea non tam est minute atque concise in actionibus utendum quam in disputationibus, quia
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- non docere modo, sed movere etiam ac delectare audientes debet orator, ad quod impetu quoque ac viribus et decore est opus; ut vis amnium maior est altis ripis multoque gurgitis tractu fluentium quam
12 tenuis aquae et obiectu lapillorum resultantis. Et ut palaestrici doctores illos, quos numeros vocant, non idcirco discentibus tradunt, ut iis omnibus ii, qui didicerint, in ipso luctandi certamine utantur (plus enim pondere et firmitate et spiritu agitur), sed ut subsit copia illa, ex qua unum aut alterum, cuius se
13 occasio dederit, efficiant, ita haec pars dialectica, sive illam dicere malumus disputatricem, ut est utilis saepe et finitionibus et comprehensionibus et separandis quae sunt differentia, et resolvenda ambiguitate, distinguendo, dividendo, illiciendo, implicando, ita, si totum sibi vindicaverit in foro certamen, obstabit
14 melioribus et sectas ad tenuitatem suam vires ipsa subtilitate consumet. Itaque reperias quosdam in disputando mire callidos, cum ab illa cavillatione discesserint, non magis sufficere in aliquo graviore actu quam parva quaedam animalia, quae in angustiis mobilia campo deprehenduntur.
- 15 Iam quidem pars illa moralis, quae dicitur Ethice, certe tota oratori est accommodata. Nam in tanta

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causarum, sicut superioribus libris diximus, varietate, cum alia coniectura quaerantur, alia finitionibus concludantur, alia iure summoveantur vel transferantur, alia colligantur vel ipsa inter se concurrant vel in diversum ambiguitate ducantur, nulla fere dici potest, cuius non parte in aliqua tractatus aequi ac boni reperiatur, plerasque vero esse quis nescit, quae
16 totae in sola qualitate consistant? In consiliis vero quae ratio suadendi est ab honesti quaestione seposita? Quin illa etiam pars tertia, quae laudandi ac vituperandi officiis continetur, nempe in tractatu
17 recti pravique versatur. An de iustitia, fortitudine, abstinencia, temperantia, pietate non plurima dicet orator? Sed ille vir bonus, qui haec non vocibus tantum sibi nota atque nominibus aurium tenus in usum linguae perceperit, sed qui virtutes ipsas mente complexus ita sentiat, nec in cogitando ita laborabit
18 sed, quod sciet, vere dicet. Cum sit autem omnis generalis quaestio speciali potentior, quia universo pars continetur, non utique accedit parti quod universum est, profecto nemo dubitabit, generales quaestiones
19 in illo maxime studiorum more versatas. Iam vero cum sint multa propriis brevibusque comprehen-

¹ See III. vi. 45.

² See III. vi. 23.

³ See III. vi. 15.

⁴ Probably an allusion to contradictory laws. See VII. vii.

⁵ See VII. ix.

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sionibus finienda (unde etiam status causarum dicitur finitivus), nonne ad id quoque instrui ab iis, qui plus in hoc studii dederunt, oportet? Quid? non quaestio iuris omnis aut verborum proprietate aut aequi disputatione aut voluntatis coniectura continetur? quorum pars ad rationalem, pars ad moralem tracta-
20 tum redundat. Ergo natura permixta est omnibus istis oratio, quae quidem oratio est vere. Nam ignara quidem huiusce doctrinae loquacitas erret necesse est, ut quae vel nullos vel falsos duces habeat.

Pars vero naturalis, cum est ad exercitationem dicendi tanto ceteris aberior, quanto maiore spiritu de divinis rebus quam humanis eloquendum est, tum illam etiam moralem, sine qua nulla esse, ut
21 docuimus, oratio potest, totam complectitur. Nam si regitur providentia mundus, administranda certe bonis viris erit res publica; si divina nostris animis origo, tendendum ad virtutem nec voluptatibus terreni corporis serviendum. An haec non frequenter tractabit orator? Iam de auguriis, responsis, religione denique omni, de quibus maxima saepe in senatu consilia versata sunt, non erit ei disserendum, si

¹ See III. vi. 31.

² *i. e.* natural philosophy in the widest sense.

³ § 15.

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quidem, ut nobis placet, futurus est vir civilis idem? Quae denique intelligi saltem potest eloquentia
 22 hominis optima nescientis? Haec si ratione manifesta non essent, exemplis tamen crederemus. Si-
 quidem et Periclem, cuius eloquentiae, etiamsi nulla
 ad nos monumenta venerunt, vim tamen quandam
 incredibilem cum historici, tum etiam, liberrimum
 hominum genus, comici veteres tradunt, Anaxagorae
 physici constat auditorem fuisse, et Demosthenem,
 principem omnium Graeciae oratorum, dedisse ope-
 23 ram Platoni. Nam M, Tullius, non tantum se debere
 scholis rhetorum, quantum Academiae spatiis, fre-
 quenter ipse testatus est; neque se tanta in eo
 unquam fudisset¹ ubertas, si ingenium suum consep-
 to fori, non ipsius rerum naturae finibus terminasset.

Verum ex hoc alia mihi quaestio exoritur, quae
 secta conferre plurimum eloquentiae possit, quan-
 quam ea non inter multas potest esse contentio.
 24 Nam in primis nos Epicurus a se ipse dimittit, qui
 fugere omnem disciplinam navigatione quam velo-
 cissima iubet. Neque vero Aristippus, summum in
 voluptate corporis bonum ponens, ad hunc nos laborem
 hortetur. Pyrrhon quidem quas in hoc opere habere
 partes potest? cui iudices esse, apud quos verba
 faciat, et reum, pro quo loquatur, et senatum, in

¹ fudisset, *Badius*: fuisset, *MSS*.

¹ Or. iii. 12.

² παιδείαν πᾶσαν ἀκάτιον ἀρᾶμενος φεύγει.

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25 quo sit dicenda sententia, non liquebit. Academiam
quidam utilissimam credunt, quod mos in utramque
partem disserendi ad exercitationem forensium cau-
sarum proxime accedat. Adiiciunt loco probationis,
quod ea praestantissimos in eloquentia viros ediderit.
Peripatetici studio quoque se quodam oratorio iactant ;
nam theses dicere exercitationis gratia fere est ab
iis institutum. Stoici, sicut copiam nitoremque elo-
quentiae fere praeceptoribus suis defuisse concedant
necesse est, ita nullos aut probare acrius aut con-
26 cludere subtilius contendunt. Sed haec inter ipsos,
qui velut sacramento rogati vel etiam superstitione
constricti¹ nefas ducunt a suscepta semel persuasione
discedere. Oratori vero nihil est necesse in cuius-
27 quam iurare leges. Maius enim est opus atque
praestantius, ad quod ipse tendit, et cuius est velut
candidatus, si quidem est futurus cum vitae, tum
etiam eloquentiae laude perfectus. Quare in ex-
emplum bene dicendi facundissimum quemque pro-
ponet sibi ad imitandum, moribus vero formandis
quam honestissima praecepta rectissimamque ad
virtutem viam deliget. Exercitatione quidem utetur
omni, sed tamen erit plurimus in maximis quibusque
28 ac natura pulcherrimis. Nam quae potest materia

¹ See II. i. 9. III. v. 5. and 10.

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reperiri ad graviter copioseque dicendum magis abundans quam de virtute, de re publica, de providentia, de origine animorum, de amicitia? Haec sunt, quibus mens pariter atque oratio insurgat, quae vere bona, quid mitiget metus, coerceat cupiditates, eximat nos opinionibus vulgi animumque caelestem erigat.¹

- 29 Neque ea solum, quae talibus disciplinis continentur, sed magis etiam, quae sunt tradita antiquitus dicta ac facta praeclare, et nosse et animo semper agitare conveniet. Quae profecto nusquam plura maioraque quam in nostrae civitatis monumentis
30 reperientur. An fortitudinem, iustitiam, fidem, continentiam, frugalitatem, contemptum doloris ac mortis melius alii docebunt quam Fabricii, Curii, Reguli, Decii, Mucii aliique innumerabiles? Quantum enim Graeci praeceptis valent, tantum Romani,
31 quod est maius, exemplis. Tantum quod non cognitis ille rebus adquieverit,² qui non modo proximum tempus lucemque praesentem intueri satis credat, sed omnem posteritatis memoriam spatium vitae honestae et curriculum laudis existimet. Hinc mihi ille iustitiae haustus bibat, hinc sumptam libertatem in causis atque consiliis praestet. Neque erit per-

¹ erigat *added by Meister.*

² cognitis ille rebus adquieverit, *Halm, Bonnell*: cognatis ide rebus admoveri, *B.*

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fectus orator, nisi qui honeste dicere et sciet et audebit.

- III. Iuris quoque civilis necessaria huic viro scientia est et morum ac religionum eius rei publicae, quam capesset. Nam qualis esse suasor in consiliis publicis privatisve poterit tot rerum, quibus praecipue civitas continetur, ignarus? Quo autem modo patrum se causarum non falso dixerit, qui, quod est in causis potentissimum, sit ab altero petiturus, paene non dissimilis iis, qui poetarum scripta pronuntiant?
- 2 Nam quodammodo mandata perferet, et ea, quae sibi a iudice credi postulaturus est, aliena fide dicet, et ipse litigantium auxiliator egebit auxilio. Quod ut fieri nonnunquam minore incommodo possit, cum domi praecepta et composita et sicut cetera, quae in causa sunt, inde¹ discendo cognita ad iudicem perfert, quid fiet in iis quaestionibus, quae subito inter ipsas actiones nasci solent? non deformiter respectet et inter subsellia minores advocatos in-
- 3 terroget? Potest autem satis diligenter accipere, quae tum audiet, cum ei dicenda sunt, aut fortiter adfirmare aut ingenue pro suis dicere? Possit in actionibus: quid fiet in altercatione, ubi occurrendum continuo, nec libera ad discendum mora est?

¹ inde, *Halm* : in, *MSS.*

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Quid, si forte peritus iuris ille non aderit? Quid, si quis non satis in ea re doctus falsum aliquid subiecerit? Hoc enim est maximum ignorantiae malum, 4 quod credit eum scire qui moneat. Neque ego sum nostri moris ignarus oblitusve eorum, qui velut ad arculas sedent et tela agentibus subministrant, neque idem Graecos quoque nescio factitasse, unde nomen his pragmaticorum datum est. Sed loquor de oratore, qui non clamorem modo suum causis, sed omnia, 5 quae profutura sunt, debet. Itaque eum nec inutilem, si ad horam forte constiterit, neque in testationibus faciendis esse imperitum velim. Quis enim potius praeparabit ea quae, cum aget, esse in causa velit? Nisi forte imperatorem quis idoneum credit in proeliis quidem strenuum et fortem et omnium, quae pugna poscit, artificem, sed neque delectus agere nec copias contrahere atque instruere nec prospicere commeatus nec locum capere castris scientem; prius est enim certe parare bella quam gerere. 6 Atqui simillimus huic sit advocatus, si plura, quae ad vincendum valent, aliis reliquerit, cum praesertim

¹ *Ad horam constare* appears to be a technical term for "appearance at the preliminary hour," the purpose of which is indicated in the paraphrase given above.

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hoc, quod est maxime necessarium, nec tam sit arduum, quam procul intuentibus fortasse videatur. Namque omne ius, quod est certum, aut scripto aut moribus constat; dubium aequitatis regula exami-
7 nandum est. Quae scripta sunt aut posita in more civitatis, nullam habent difficultatem, cognitionis sunt enim, non inventionis; at quae consultorum responsis explicantur, aut in verborum interpretatione sunt posita aut in recti pravique discrimine. Vim cuiusque vocis intelligere aut commune prudentium est aut proprium oratoris; aequitas optimo cuique
8 notissima. Nos porro et bonum virum et prudentem in primis oratorem putamus, qui cum se ad id, quod est optimum natura, direxerit, non magnopere commovebitur, si quis ab eo consultus dissentiet; cum ipsis illis diversas inter se opiniones tueri concessum sit. Sed etiam, si nosse, quid quisque senserit, volet, lectionis opus est, qua nihil est in studiis minus
9 laboriosum. Quodsi plerique, desperata facultate agendi, ad discendum ius declinaverunt, quam id scire facile est oratori, quod discunt qui sua quoque confessione oratores esse non possunt? Verum et M. Cato cum in dicendo praestantissimus, tum iuris idem fuit peritissimus, et Scaevolae Servioque Sul-

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- 10 picio concessa est etiam facundiae virtus. Et M. Tullius non modo inter agendum nunquam est destitutus scientia iuris, sed etiam componere aliqua de eo coeperat, ut appareat posse oratorem non discendo tantum iuri vacare, sed etiam docendo.
- 11 Verum ea, quae de moribus excolendis studioque iuris praecipimus, ne quis eo credat reprehendenda, quod multos cognovimus, quitaedio laboris, quem ferrentendentibus ad eloquentiam necesse est, confugerint ad haec deverticula desidia. Quorum alii se ad album ac rubricas transtulerunt et formularii vel, ut Cicero ait, leguleii quidam esse maluerunt, tanquam utiliora eligentes ea, quorum solam facilitatem sequen-
- 12 bantur; alii pigritiae arrogantioris, qui subito fronte conficta immissaque barba, veluti despexissent oratoria praecepta, paulum aliquid sederunt in scholis philosophorum, ut deinde in publico tristes, domi dissoluti captarent auctoritatem contemptu ceterorum. Philosophia enim simulari potest, eloquentia non potest.

IV. In primis vero abundare debet orator exemplorum copia cum veterum, tum etiam novorum, adeo ut non ea modo, quae conscripta sunt historiis aut sermonibus velut per manus tradita, quaeque cotidie aguntur, debeat nosse, verum ne ea quidem, quae

¹ *i. e.* as well as experts on the law.

² The praetor's edicts were displayed on a whitened board (*in albo*), while the headings of the civil law were written in red.

³ *de Or.* I. lv. 236.

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2 sunt a clarioribus poetis ficta, negligere. Nam illa quidem priora aut testimoniorum aut etiam iudicatorum obtinent locum, sed haec quoque aut vetustatis fide tuta sunt aut ab hominibus magnis praeceptorum loco ficta creduntur. Sciat ergo quam plurima; unde etiam senibus auctoritas maior est, quod plura nosse et vidisse creduntur, quod Homerus frequentissime testatur. Sed non est expectanda ultima aetas, cum studia praestent ut, quantum ad cognitionem pertinet rerum, etiam praeteritis saeculis vixisse videamur.

V. Haec sunt, quae me redditurum promiseram, instrumenta non artis, ut quidam putaverunt, sed ipsius oratoris. Haec arma habere ad manum, horum scientia debet esse succinctus, accedente verborum figurarumque facili copia et inventionis ratione et disponendi usu et memoriae firmitate et actionis gratia. Sed plurimum ex his valet animi praestantia, quam nec metus frangat nec adclamatio terreat nec audientium auctoritas ultra debitam 2 reverentiam tardet. Nam ut abominanda sunt contraria his vitia confidentiae, temeritatis, improbitatis, arrogantiae, ita citra constantiam, fiduciam, fortitudinem nihil ars, nihil studium, nihil profectus ipse profuerit, ut si des arma timidis et imbellibus. Inventus mehercule dico, quoniam et aliter accipi potest,

¹ I *Pr.* 22 and xii. *Pr.* 4.

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ipsam verecundiam, vitium quidem, sed amabile et quae virtutes facillime generet, esse interim adversam, multisque in causa fuisse, ut bona ingenii studiique in lucem non prolata situ quodam secreti
3 consumerentur. Sciat autem, si quis haec forte minus adhuc peritus distinguendi vim cuiusque verbi leget, non probitatem a me reprehendi, sed verecundiam, quae est timor quidam reducens animum ab iis quae facienda sunt; inde confusio et coepta paenitentia et subitum silentium. Quis porro dubitet vitiis adscribere adfectum, propter quem facere
4 honeste pudet? Neque ego rursus nolo eum, qui sit dicturus, et sollicitum surgere et colore mutari et periculum intelligere; quae si non accident, etiam simulanda erunt. Sed intellectus hic sit operis, non metus, moveamurque, non concidamus. Optima est autem emendatio verecundiae fiducia, et quamlibet imbecilla frons magna conscientia sustinetur.
5 Sunt et naturalia, ut supra dixi, quae tamen et cura iuvantur, instrumenta, vox, latus, decor; quae

¹ I *Pr.* 27.

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quidem tantum valent, ut frequenter famam ingenii faciant. Habuit oratores aetas nostra copiosiores, sed, cum diceret, eminere inter aequales Trachalus videbatur. Ea corporis sublimitas erat, is ardor oculorum, frontis auctoritas, gestus praestantia, vox quidem non, ut Cicero desiderat, paene tragoedorum, sed super omnes, quos ego quidem audierim, tragoe-
6 dos. Certe cum in basilica Iulia diceret primo tribunali, quattuor autem iudicia, ut moris est, cogerentur, atque omnia clamoribus fremerent, et auditum eum et intellectum et, quod agentibus ceteris contumeliosissimum fuit, laudatum quoque ex quattuor tribunalibus memini. Sed hoc votum est et rara felicitas; quae si non adsit, sane sufficiat ab iis, quibus quis dicit, audiri. Talis esse debet orator, haec scire.

VI. Agendi autem initium sine dubio secundum vires cuiusque sumendum est. Neque ego annos definiam, cum Demosthenen puerum admodum actiones pupillares habuisse manifestum sit, Calvus, Caesar, Pollio multum ante quaestoriam omnes aetatem gravissima iudicia susceperint, praetextatos egisse quosdam sit traditum, Caesar Augustus duodecim natus annos aviam pro rostris laudaverit.
2 Modus mihi videtur quidam tenendus, ut neque prae-

¹ *de Or.* I. xxviii. 128.

² Of the Centumviral Court. Four different cases were being tried simultaneously.

³ Demosthenes was 18, Crassus 19, Caesar 21, Asinius Pollio 22 and Calvus not much older. See Tac. *Dial.* 34.

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propere destringatur immatura frons nec,¹ quidquid est illud adhuc acerbum, proferatur; nam inde et contemptus operis innascitur et fundamenta iaciuntur impudentiae et, quod est ubicunque perniciosissimum, 3 praevenit vires fiducia. Nec rursus differendum est tirocinium in senectutem; nam cotidie metus crescit, maiusque fit semper quod ausuri sumus et, dum deliberamus quando incipiendum sit, incipere iam serum est. Quare fructum studiorum viridem et adhuc dulcem promi decet, dum et veniae² spes est et paratus favor et audere non dedecet et, si quid desit operi, supplet aetas, et, si qua sunt dicta 4 iuveniliter, pro indole accipiuntur: ut totus ille Ciceronis pro Sexto Roscio locus: *Quid enim tam commune quam spiritus vivis, terra mortuis, mare fluctuantibus, litus eiectis?* Quae cum sex et viginti natus annos summis audientium clamoribus dixerit, deferuisse tempore et annis liquata iam senior idem fatetur. Et hercule quantumlibet secreta studia contulerint, est tamen proprius quidam fori profectus,

¹ nec, *Buttmann*: et, *MSS.*

² veniae, *Davisius*: venia et, *MSS.*

¹ *pro Rosc. Amer.* xxvi. 72.

² *Orat.* xxx. 107.

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alia lux, alia veri discriminis facies, plusque, si
separés, usus sine doctrina quam citra usum doctrina
5 valet. Ideoque nonnulli senes in schola facti stupent
novitate, cum in iudicia venerunt, et omnia suis
exercitationibus similia desiderant. At illic et iudex
tacet et adversarius obstrepat et nihil temere dictum
perit et, si quid tibi ipse sumas, probandum est, et
laboratam congestamque dierum ac noctium studio
actionem aqua deficit, et omisso magna semper
flandi tumore in quibusdam causis loquendum est;
6 quod illi disertí minime sciunt. Itaque nonnullos
reperias, qui sibi eloquentiores videantur, quam ut
causas agant. Ceterum illum, quem iuvenem tene-
risque adhuc viribus nitentem in forum deduximus,
et incipere quam maxime facili ac favorabili causa
velim, ferarum ut catuli molliore praeda saginantur,
et non utique ab hoc initio continuare operam et
ingenio adhuc alendo callum inducere, sed iam
scientem, quid sit pugna, et in quam rem studendum
7 sit, refici atque renovari. Sic et tirocinii metum,
dum facilius est audere, transierit, nec audendi

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facilitatem usque ad contemptum operis adduxerit. Usus est hac ratione M. Tullius, et cum iam clarum meruisset inter patronos, qui tum erant, nomen, in Asiam navigavit seque et aliis sine dubio eloquentiae ac sapientiae magistris, sed praecipue tamen Apollonio Moloni, quem Romae quoque audierat, Rhodi rursus formandum ac velut recoquendum dedit. Tum dignum operae pretium venit, cum inter se congruunt praecepta et experimenta.

VII. Cum satis in omni certamine virium fecerit, prima ei cura in suscipiendis causis erit; in quibus defendere quidem reos profecto quam facere vir bonus malet, non tamen ita nomen ipsum accusatoris horrebit, ut nullo neque publico neque privato duci possit officio, ut aliquem ad reddendam rationem vitae vocet. Nam et leges ipsae nihil valeant, nisi actoris idonea voce munitae; et si poenas scelerum expetere fas non est, prope est ut scelera ipsa permissa sint, et licentiam malis dari certe contra
2 bonos est. Quare neque sociorum querelas nec amici vel propinqui necem nec erupturas in rem publicam conspirationes inultas patietur orator, non poenae nocentium cupidus, sed emendandi vitia
418

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corrigendique mores. Nam qui ratione traduci ad
3 meliora non possunt, solo metu continentur. Itaque
ut accusatoriam vitam vivere et ad deferendos reos
praemio duci proximum latrocinio est, ita pestem
intestinam propulsare cum propugnatoribus patriae
comparandum. Ideoque principes in re publica viri
non detrectaverunt hanc officii partem, creditique
sunt etiam clari iuvenes obsidem rei publicae dare
malorum civium accusationem, quia nec odisse im-
probos nec simulates provocare nisi ex fiducia bonae
4 mentis videbantur; idque cum ab Hortensio, Lucullis,
Sulpicio, Cicerone, Caesare, plurimis aliis, tum ab
utroque Catone factum est, quorum alter appellatus
est sapiens, alter nisi creditur fuisse, vix scio, cui
reliquerit huius nominis locum. Neque¹ defendet
omnes orator idem, portumque illum eloquentiae
suae salutarem non etiam piratis patefaciet ducetur-
5 que in advocationem maxime causa. Quoniam tamen
omnes, qui non improbe litigabunt, quorum certe
bona pars est, sustinere non potest unus, aliquid
et commendantium personis dabit et ipsorum qui

¹ neque, *early edd.* : namque, *MSS.*

¹ *i. e.* Cato the Elder.

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- iudicio decernent, ut optimi cuiusque voluntate moveatur; namque hos et amicissimos habebit vir
6 bonus. Summovendum vero est utrumque ambitus genus vel potentibus contra humiles venditandi operam suam vel illud etiam iactantius minores utique contra dignitatem attollendi. Non enim fortuna causas vel iustas vel improbas facit. Neque vero pudor obstat, quo minus susceptam, cum melior videretur, litem cognita inter discendum iniquitate
7 dimittat, cum prius litigatori dixerit verum. Nam et in hoc maximum, si aequi iudices sumus, beneficium est, ut non fallamus vana spe litigantem. Neque est dignus opera patroni, qui non utitur consilio, et certe non convenit ei, quem oratorem esse volumus, iniusta tueri scientem. Nam si ex illis, quas supra diximus, causis falsum tuebitur, erit tamen honestum quod ipse faciet.
- 8 Gratisne ei semper agendum sit, tractari potest. Quod ex prima statim fronte diiudicare imprudentium est. Nam quis ignorat, quin id longe sit honestissimum ac liberalibus disciplinis et illo, quem exigimus, animo dignissimum, non vendere operam nec elevare tanti beneficii auctoritatem, cum plera-

¹ XII. i. 36.

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que hoc ipso possint videri vilia, quod pretium
9 habent? Caecis hoc, ut aiunt, satis clarum est, nec
quisquam, qui sufficientia sibi (modica autem haec
sunt) possidebit, hunc quaestum sine crimine sordium
fecerit. At si res familiaris amplius aliquid ad usus
necessarios exiget, secundum omnium sapientium
leges patietur sibi gratiam referri, cum et Socrati
collatum sit ad victum, et Zeno, Cleanthes, Chry-
10 sippus mercedes a discipulis acceptaverint. Neque
enim video, quae iustior acquirendi ratio quam ex
honestissimo labore et ab iis, de quibus optime
meruerint, quique, si nihil invicem praestent, indigni
fuerint defensione. Quod quidem non iustum modo,
sed necessarium etiam est, cum haec ipsa opera
tempusque omne alienis negotiis datum facultatem
11 aliter acquirendi recidant. Sed tum quoque ten-
endus est modus, ac plurimum refert et a quo
accipiat et quantum et quousque. Paciscendi quidem
ille piraticus mos et imponentium periculis pretia
procul abominanda negotiatio etiam a mediocriter
improbis aberit, cum praesertim bonos homines
bonasque causas tuenti non sit metuendus ingratus;

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12 quodsi sit futurus, malo tamen ille peccet. Nihil ergo acquirere volet orator ultra quam satis erit; ac ne pauper quidem tanquam mercedem accipiet, sed mutua benivolentia utetur, cum sciat se tanto plus praestitisse. Non enim, quia venire hoc beneficium non oportet, oportet ¹ perire. Denique ut gratus sit ad eum magis pertinet qui debet.

VIII. Proxima discendae causae ratio, quod est orationis fundamentum. Neque enim quisquam ingenio tam tenui reperietur, qui, cum omnia quae sunt in causa diligenter cognoverit, ad docendum
2 certe iudicem non sufficiat. Sed eius rei paucissimis cura est. Nam ut taceam de negligentibus, quorum nihil refert, ubi litium cardo vertatur, dum sint quae vel extra causam ex personis aut communi tractatu locorum occasionem clamandi largiantur, aliquos et ambitio pervertit, qui partim tanquam occupati semperque aliud habentes, quod ante agendum sit, pridie ad se venire litigatorem aut eodem matutino iubent, nonnunquam etiam inter ipsa subsellia
3 didicisse se gloriantur; partim iactantia ingenii, ut

¹ *Second oportet added by Buttmann.*

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res cito accepisse videantur, tenere se et intelligere prius paene quam audiant mentiti, cum multa et diserte summisque clamoribus, quae neque ad iudicem neque ad litigatorem pertineant, decantaverunt, bene sudantes beneque comitati per forum
4 reducuntur. Ne illas quidem tulerim delicias eorum, qui doceri amicos suos iubent, quanquam minus mali est, si illi saltem recte discant recteque doceant. Sed quis discet tam bene quam patronus? Quomodo autem sequester ille et media litium manus et quidam interpres impendet aequo animo laborem, in alienas actiones, cum dicturis tanti suae non sint?
5 Pessimae vero consuetudinis libellis esse contentum, quos componit aut litigator qui confugit ad patronum, quia liti ipse non sufficit, aut aliquis ex eo genere advocatorum, qui se non posse agere confitentur, deinde faciunt id quod est in agendo difficillimum. Nam qui iudicare, quid dicendum, quid dissimulandum, quid declinandum, mutandum, fingendum etiam sit, potest, cur non sit orator, quando,

¹ *Advocatus* is here used in its original sense. By Quintilian's time it had come also to mean "advocate," and is often so used by him elsewhere.

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- 6 quod difficilius est, oratorem facit? Hi porro non tantum nocerent, si omnia scriberent uti gesta sunt. Nunc consilium et colores adiiciunt et aliqua peiora veris, quae plerique cum acceperunt, mutare nefas habent et velut themata in scholis posita custodiunt. Deinde deprehenduntur et causam, quam discere ex suis litigatoribus noluerunt, ex adversariis discunt.
- 7 Liberum igitur demus ante omnia iis, quorum negotium erit, tempus ac locum, exhortemurque ultro, ut omnia quamlibet verbose et unde volent repetita ex tempore exponant. Non enim tam obest audire supervacua quam ignorare necessaria.
- 8 Frequenter autem et vulnus et remedium in iis orator inveniet, quae litigatori in neutram partem habere momentum videbantur. Nec tanta sit acturo memoriae fiducia, ut subscribere audita pigeat.

Nec semel audisse sit satis; cogendus eadem iterum ac saepius dicere litigator, non solum quia effugere aliqua prima expositione potuerunt, praesertim hominem (quod saepe evenit) imperitum, sed

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9 etiam ut sciamus an eadem dicat. Plurimi enim
mentiuntur et, tanquam non doceant causam, sed
agent, non ut cum patrono sed ut cum iudice
loquuntur. Quapropter nunquam satis credendum
est, sed agitandus omnibus modis et turbandus et
10 evocandus. Nam ut medicis non apparentia modo
vitia curanda sunt sed etiam invenienda quae latent,
saepe ipsis ea, qui sanandi sunt, occultantibus, ita
advocatus plura quam ostenduntur aspiciat. Nam
cum satis in audiendo patientiae impenderit, in
aliam rursus ei personam transeundum est, agendus-
que adversarius, proponendum quidquid omnino
excogitari contra potest, quidquid recipit in eiusmodi
disceptatione natura. Interrogandus quam infes-
11 tissime ac premendus. Nam dum omnia quaerimus,
aliquando ad verum, ubi minime expectavimus,
pervenimus.

In summa optimus est in discendo patronus
incredulus. Promittit enim litigator omnia, testem
populum, paratissimas consignationes, ipsum denique
12 adversarium quaedam non negaturum. Ideoque
opus est intueri omne litis instrumentum; quod
videre non est satis, perlegendum erit. Nam frequen-
tissime aut non sunt omnino, quae promittebantur,
aut minus continent aut cum alio aliquo nocituro
permixta sunt aut nimia sunt et fidem hoc ipso

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- 13 detractura quod non habent modum. Denique
linum ruptum aut turbatam ceram¹ aut sine agnitore
signa frequenter inuenies; quae, nisi domi excusseris,
in foro inopinata decipient, plusque nocebunt desti-
tuta quam non promissa nocuissent. Multa etiam,
quae litigator nihil ad causam pertinere crediderit,
patronus eruet, modo per omnes, quos tradidimus,
14 argumentorum locos eat. Quos ut circumspectare
in agendo et attentare singulos minime convenit,
propter quas diximus causas, ita in discendo rimari
necessarium est, quae personae, quae tempora et
loca, instituta, instrumenta, cetera, ex quibus
non tantum illud, quod est artificiale probationis
genus, colligi possit, sed qui metuendi testes,
quomodo sint refellendi. Nam plurimum refert,
invidia reus an odio an contemptu laboret, quorum
fere pars prima superiores, proxima pares, tertia
humiliores premit.
- 15 Sic causam perscrutatus, propositis ante oculos
omnibus quae prosint noceantve, tertiam deinceps
personam induat iudicis, fingatque apud se agi

¹ turbatam ceram, *Salmasius*: turbata cetera, *B*

¹ v. x. 20 *sqq.* i. e. sources from which arguments may be drawn.

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causam, et, quod ipsum movisset de eadem re pronuntiaturum, id potentissimum, apud quemcunque agetur, existimet. Sic eum raro fallat eventus, aut culpa iudicis erit.

IX. Quae sint in agendo servanda, toto fere opere exsecuti sumus; pauca tamen propria huius loci, quae non tam dicendi arte quam officiis agentis¹ continentur, attingam. Ante omnia ne, quod plerisque accidit, ab utilitate eum causae praesentis
2 cupido laudis abducat. Nam ut gerentibus bella non semper exercitus per plana et amoena ducendus est, sed adeundi plerumque asperi colles, expugnandae civitates quamlibet praecisis impositae rupibus aut operum mole difficiles, ita oratio gaudebit quidem occasione laetius decurrendi et aequo congressa campo totas vires populariter explicabit;
3 at si iuris anfractus aut eruendae veritatis latebras adire cogetur, non obequitabit nec illis vibrantibus concitatisque sententiis velut missilibus utetur, sed operibus et cuniculis et insidiis et occultis artibus
4 rem geret. Quae omnia non dum fiunt laudantur, sed cum facta sunt; unde etiam cupidissimis

¹ agentis, *Obrecht* : agendis, *B.*

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opinionis plus fructus venit. Nam cum illa dicendi vitiosa iactatio inter plausores suos detonuit, resurgit verae virtutis fortior fama, nec iudices a quo sint moti, dissimulant, et doctis creditur, nec est orationis
5 vera laus nisi cum finita est. Veteribus quidem etiam dissimulare eloquentiam fuit moris, idque M. Antonius praecipit, quo plus dicentibus fidei minusque suspectae advocatorum insidiae forent. Sed illa dissimulari, quae tum erat, potuit; nondum enim tantum dicendi lumen accesserat, ut etiam per obstantia erumperet. Quare artes quidem et consilia lateant et quidquid, si deprehenditur, perit.
6 Hactenus eloquentia secretum habet. Verborum quidem delectus, gravitas sententiarum, figurarum elegantia aut non sunt aut apparent. Sed vel propter hoc ipsum ostendenda non sunt quod apparent; aut si unum sit ex duobus eligendum, causa potius laudetur quam patronus. Finem tamen hunc praestabit orator, ut videatur optimam causam optime egisse. Illud certum erit neminem peius
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agere quam qui displicente causa placet; necesse
7 est enim extra causam sit quod placet. Nec illo
fastidio laborabit orator non agendi causas minores,
tanquam infra eum sint aut detractura sit opinioni
minus liberalis materia. Nam et suscipiendi ratio
iustissima est officium, et optandum etiam ut amici
quam minimas lites habeant; et abunde dixit bene,
quisquis rei satisfecit.

8 At quidam, etiamsi forte susceperunt negotia
paulo ad dicendum tenuiora, extrinsecus adductis
ea rebus circumlinunt ac, si defecerint alia, conviciis
implent vacua causarum, si contingit, veris, si minus,
fictis, modo sit materia ingenii mereaturque clamorem
dum dicitur. Quod ego adeo longe puto ab
oratore perfecto, ut eum ne vera quidem obiecturum,
9 nisi id causa exigit, credam. Ea est enim prorsus
canina, ut ait Appius, eloquentia, cognituram male
dicendi subire; quod facientibus etiam male audiendi
praesumenda patientia est. Nam et in ipsos fit
impetus frequenter, qui egerunt, et certe petulan-

¹ A *cognitor* is one who represents another. The litigant may abuse his opponent, but that does not justify his advocate in doing so.

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tiam patroni litigator luit. Sed haec minora sunt ipso illo vitio animi, quod maledicus a malefico non
10 distat nisi occasione. Turpis voluptas et inhumana et nulli audientium bona gratia a litigatoribus quidem frequenter exigitur, qui ultionem malunt quam defensionem. Sed neque alia multa ad arbitrium eorum facienda sunt. Hoc quidem quis
hominum liberi modo sanguinis sustineat petulans
11 esse ad alterius arbitrium? Atqui etiam in advocatos partis adversae libenter nonnulli invehuntur; quod, nisi si forte meruerunt, et inhumanum est respectu communium officiorum, et cum ipsi qui dicit inutile (nam idem iuris responsuris datur), tum causae contrarium, cui¹ plane adversarii fiunt et inimici, et quantulumcunque eis virium est, con-
12 tumelia augetur. Super omnia perit illa, quae plurimum oratori et auctoritatis et fidei adfert, modestia, si a viro bono in rabulam latratoremque convertitur, compositus non ad animum iudicis sed
13 ad stomachum litigatoris. Frequenter etiam species libertatis deducere ad temeritatem solet non causis modo, sed ipsis quoque, qui dixerunt, periculosam.

¹ cui, *Halm*: qui, *B*.

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Nec immerito Pericles solebat optare, ne quod sibi verbum in mentem veniret, quo populus offenderetur. Sed quod ille de populo, id ego de omnibus sentio, qui tantundem possunt nocere. Nam quae fortia dum dicuntur videbantur, stulta cum laeserunt vocantur.

- 14 Nunc, quia varium fere propositum agentium fuit, et quorundam cura tarditatis, quorundam facilitas temeritatis crimine laboravit, quem credam fore in hoc
15 oratoris modum, tradere non alienum videtur. Adferet ad dicendum curae semper quantum plurimum poterit. Neque enim hoc solum negligentis, sed mali et in suscepta causa perfidi ac proditoris est, peius agere quam possit. Ideoque ne suscipiendae quidem sunt causae plures quam quibus suffecturum se sciat.
16 Dicit scripta quam res patietur plurima et, ut Demosthenes ait, si continget, et sculpta. Sed hoc aut primae actiones aut quae in publicis iudiciis post interiectos dies dantur permiserint; at cum protinus respondendum est, omnia parari non possunt, adeo ut paulo minus promptis etiam noceat scripsisse, si alia ex diverso, quam opinati fuerint, occurrerint.

¹ This passage is our sole authority for the saying.

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17 Inviti enim recedunt a praeparatis et tota actione respiciunt requiruntque, num aliquid ex illis intervelli atque ex tempore dicendis inseri possit; quod si fiat, non cohaeret nec commissuris modo, ut in opere male iuncto, hiantibus sed ipsa coloris inaequalitate
18 detegitur. Ita nec liber est impetus nec cura contexta, et utrumque alteri obstat; illa enim quae scripta sunt retinent animum, non sequuntur. Itaque in his actionibus omni, ut agricolae dicunt, pede standum est. Nam cum in propositione ac refutatione
19 causa consistat, quae nostrae partis sunt scripta esse possunt, quae etiam responsurum adversarium certum est (est enim aliquando certum) pari cura refelluntur. Ad alia unum paratum adferre possumus, ut causam bene noverimus, alterum ibi sumere, ut dicentem
20 adversarium diligenter audiamus. Licet tamen praecogitare plura et animum ad omnes casus componere, idque est tutius stilo, quo facilius et omittitur
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cogitatio et transfertur. Sed sive in respondendo fuerit subito dicendum, sive quae alia ita exegerit ratio, non oppressum se ac depreheusum credet orator, cui disciplina et studium et exercitatio dederit
21 vires etiam facilitatis; quem armatum semper ac velut in procinctu stantem non magis unquam in causis oratio quam in rebus cotidianis ac domesticis sermo deficiet, nec se unquam propter hoc oneri subtrahet, modo sit causae discendae tempus; nam cetera semper sciet.

X. Superest ut dicam de genere orationis. Hic erat propositus a nobis in divisione prima locus tertius; nam ita promiseram me de arte, de artifice, de opere dicturum. Cum sit autem rhetorices atque oratoris opus oratio pluresque eius formae, sicut ostendam, in omnibus his et ars est et artifex. Plurimum tamen invicem differunt; nec solum specie, ut signum signo et tabula tabulae et actio actioni, sed genere ipso, ut Graecis Tuscanicae statuae, ut Asianus
2 eloquens Attico. Suos autem haec operum genera, quae dico, ut auctores, sic etiam amatores habent; atque ideo nondum est perfectus orator ac nescio an ars ulla, non solum quia aliud in alio magis eminet, sed quod non una omnibus forma placuit, partim

¹ II. xiv. 5.

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condicione vel temporum vel locorum, partim iudicio cuiusque atque proposito.

- 3 Primi, quorum quidem opera non vetustatis modo gratia visenda sunt, clari pictores fuisse dicuntur Polygnotus atque Aglaophon, quorum simplex color tam sui studiosos adhuc habet, ut illa prope rudia ac velut futurae mox artis primordia maximis, qui post eos exstiterunt, auctoribus praeferant, proprio quodam intelligendi, ut mea opinio est, ambitu.
- 4 Post Zeuxis atque Parrhasius non multum aetate distantes, circa Peloponnesia ambo tempora (nam cum Parrhasio sermo Socratis apud Xenophontem invenitur) plurimum arti addiderunt. Quorum prior luminum umbrarumque invenisse rationem, secundus
- 5 examinasse subtilius lineas traditur. Nam Zeuxis plus membris corporis dedit, id amplius atque augustius ratus atque, ut existimant, Homerum secutus, cui validissima quaeque forma etiam in feminis placet. Ille vero ita circumscripsit omnia, ut eum legum latorem vocent, quia deorum atque heroum effigies, quales ab eo sunt traditae, ceteri,
- 6 tanquam ita necesse sit, sequuntur. Floruit autem circa Philippum et usque ad successores Alexandri

¹ Of the painters mentioned in this and the following sections Polygnotus of Thasos, son of Aglaophon, painted at Athens in the middle of the 5th century B.C. Zeuxis of Heraclea and Parrhasius of Ephesus flourished 420-390, while the remainder are painters of the 4th century. Of these Pamphilus of Sicily was the teacher of Melanthius and Apelles, the latter being the most famous painter of antiquity.

² *Memor.* III. x. 1.

³ *I.e.* by giving them roundness and solidity by his treatment of light and shade.

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pictura praecipue, sed diversis virtutibus. Nam cura Protogenes, ratione Pamphilus ac Melanthius, facilitate Antiphilus, concipiendis visionibus, quas *φαντασίας* vocant, Theon Samius, ingenio et gratia, quam in se ipse maxime iactat, Apelles est praestantissimus. Euphranorem admirandum facit, quod et ceteris optimis studiis inter praecipuos et pingendi fingendique idem mirus artifex fuit.

- 7 Similis in statuariis differentia.¹ Nam duriora et Tuscanicis proxima Callon atque Hegesias, iam minus rigida Calamis, molliora adhuc supra dictis Myron fecit. Diligentia ac decor in Polyclito supra ceteros, cui quanquam a plerisque tribuitur palma, tamen, ne
8 nihil detrahatur, deesse pondus putant. Nam ut humanae formae decorem addiderit supra verum, ita non explevisse deorum auctoritatem videtur. Quin aetatem quoque graviorem dicitur refugisse nihil ausus ultra leves genas. At quae Polyclito defue-
9 runt, Phidiae atque Alcameni dantur. Phidias tamen diis quam hominibus effingendis² melior artifex creditur in ebore vero longe citra aemulum, vel si

¹ statuariis, *Christ*: statuis, *MSS*.

² effingendis, *Dukerus*: efficiendis, *MSS*.

¹ Callon of Aegina and Hegesias flourished in the latter years of the 6th century. Calamis of Athens and Myron of Eleutheræ, first half of 5th century. Phidias of Athens and Polyclitus of Argos, the two most famous sculptors of the second half of 5th century. Praxiteles, middle of 4th century. Lysippus and Demetrius, last half of 4th century.

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nihil nisi Minervam Athenis aut Olympium in Elide Iovem fecisset, cuius pulchritudo adiecisse aliquid etiam receptae religioni videtur; adeo maiestas operis deum aequavit. Ad veritatem Lysippum ac Praxitelen accessisse optime adfirmant. Nam Demetrius tanquam nimius in ea reprehenditur et fuit similitudinis quam pulchritudinis amantior.

- 10 In oratione vero si species intueri velis, totidem paene reperiās ingeniorum quot corporum formas. Sed fuere quaedam genera dicendi condicione temporum horridiora, alioqui magnam iam ingenii vim prae se ferentia. Hinc sint Laelii, Africani, Catones etiam Gracchique, quos tu licet Polygnotos vel Callonas appelles. Mediam illam formam teneant L.
- 11 Crassus, Q. Hortensius. Tum deinde efflorescat non multum inter se distantium tempore oratorum ingens proventus. Hic vim Caesaris, indolem Caelii, subtilitatem Calidii, diligentiam Pollioris, dignitatem Messalae, sanctitatem Calvi, gravitatem Bruti, acumen Sulpicii, acerbitem Cassii reperiemus; in iis etiam, quos ipsi vidimus, copiam Senecae, vires Africani, maturitatem Afri, iucunditatem Crispi,
- 12 sonum Trachali, elegantiam Secundi. At M.

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- Tullium non illum habemus Euphranorem circa plures artium species praestantem, sed in omnibus, quae in quoque laudantur, eminentissimum. Quem tamen et suorum homines temporum incessere audebant ut tumidiorem et Asianum et redundantem et in repetitionibus nimium et in salibus aliquando frigidum et in compositione fractum, exultantem ac paene,
- 13 quod procul absit, viro molliorem; postea vero quam triumphali proscriptione consumptus est, passim qui oderant, qui invidebant, qui aemulabantur, adulatores etiam praesentis potentiae non responsurum invaserunt. Ille tamen, qui ieiunus a quibusdam et aridus habetur, non aliter ab ipsis inimicis male audire quam nimis floribus et ingenii affluentia potuit. Falsum utrumque, sed tamen illa mentiendi propior
- 14 occasio. Praecipue vero presserunt eum, qui videri Atticorum imitatores concupierant. Haec manus quasi quibusdam sacris initiata ut alienigenam et parum superstitiosum devinctumque illis legibus insequeretur; unde nunc quoque aridi et exsuci et
- 15 exangues. Hi sunt enim, qui suae imbecillitati sanitatis appellationem, quae est maxime contraria, obtendant; qui, quia clariorem vim eloquentiae velut solem ferre non possunt, umbra magni nominis delitescunt. Quibus quia multa et pluribus locis

¹ *Cp.* x. i. 105 *sq.*

² *I. c.* Attic.

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Cicero ipse respondit, tutior mihi de hoc disserendi brevis erit.

- 16 Et antiqua quidem illa divisio inter Atticos atque Asianos fuit, cum hi pressi et integri, contra inflati illi et inanes haberentur, in his nihil superflueret, illis iudicium maxime ac modus deesset. Quod quidam, quorum et Santra est, hoc putant accidisse, quod, paulatim sermone Graeco in proximas Asiae civitates influente, nondum satis periti loquendi facundiam concupierint, ideoque ea, quae proprie signari poterant, circuitu coeperint enuntiare ac
- 17 deinde in eo perseverarint. Mihi autem orationis differentiam fecisse et dicentium et audientium naturae videntur, quod Attici limati quidam et emuncti nihil inane aut redundans ferebant, Asiana gens tumidior alioqui atque iactantior vaniore etiam
- 18 dicendi gloria inflata est. Tertium mox, qui haec dividebant, adiecerunt genus Rhodium, quod velut medium esse atque ex utroque mixtum volunt; neque enim Attice pressi neque Asiane sunt abundantes, ut aliquid habere videantur gentis, aliquid
- 19 auctoris. Aeschines enim, qui hunc exilio delegerat

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locum, intulit eo studia Athenarum, quae, velut sata quaedam caelo terraque degenerant, saporem illum Atticum peregrino miscuerunt. Lenti ergo quidam ac remissi, non sine pondere tamen neque fontibus puris neque torrentibus turbidis, sed lenibus stagnis similes habentur.

- 20 Nemo igitur dubitaverit, longe esse optimum genus Atticorum. In quo ut est aliquid inter ipsos commune, id est iudicium acre tersumque, ita ingeni-
- 21 orum plurimae formae. Quapropter mihi falli multum videntur, qui solos esse Atticos credunt tenues et lucidos et significantes sed quadam eloquentiae frugalitate contentos ac semper manum intra pallium continentes. Nam quis erit hic Atticus? Sit Lysias; hunc enim amplectuntur amatores istius nominis modum. Non igitur iam usque ad Coccum et Andocidem remitemur. Interrogare tamen velim,
- 22 an Isocrates Attice dixerit. Nihil enim tam est Lysiae diversum. Negabunt. At eius schola principes oratorum dedit. Quaeratur similis aliquid. Hyperides Atticus? Certe, at plus indulsit voluptati. Transeo plurimos, Lycurgum, Aristogitona et

¹ The only Coccus known to us is stated by Suidas to have been a pupil of Isocrates, whereas we should here have expected Quintilian to refer to some orator of the 5th century contemporary with Andocides (closing decades of 4th century).

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- his priores Isaeum, Antiphonta; quos ut homines inter se genere similes, differentes dixeris specie.
- 23 Quid ille, cuius modo fecimus mentionem, Aeschines? nonne his latior et audentior et excelsior? Quid denique Demosthenes? non cunctos illos tenues et circumspectos vi, sublimitate, impetu, cultu, compositione superavit? non insurgit locis? non figuris gaudet? non translationibus nitet? non oratione
- 24 ficta dat tacentibus vocem? non illud iusiurandum per caesos in Marathone ac Salamine propugnatores rei publicae satis manifesto docet praeceptorem eius Platonem fuisse? quem ipsum num Asianum appellabimus plerumque instinctis divino spiritu vatibus comparandum? Quid Periclea? similemne credimus Lysiacae gracilitati, quem fulminibus et caelesti fragori comparant comici, dum illi conviciantur?
- 25 Quid est igitur, cur in iis demum, qui tenui venula per calculos fluunt, Atticum saporem putent, ibi demum thymum redolere dicant? Quos ego existimo, si quod in iis finibus uberius invenerint solum fertilioremve segetem, negaturos Atticam esse, quod plus, quam acceperit, seminis reddat, quia hanc eius
- 26 terrae fidem Menander eludit. Ita nunc, si quis ad eas Demosthenis virtutes, quas ille summus orator

¹ *Georg.* 35 sqq. (Koerte); ἀπέδωκεν ὀρθῶς καὶ δικαίως, οὐ πλέον, | ἀλλ' αὐτὸ τὸ μέτρον.

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habuit, tamen quae defuisse ei sive ipsius natura seu lege civitatis videntur, adiecerit, ut adfectus concitatus moveat, audiam dicentem, *Non fecit hoc Demosthenes?* et si quid numeris exierit aptius (fortasse non possit, sed tamen si quid exierit) non erit Atticum? Melius de hoc nomine sentiant credantque Attice dicere esse optime dicere.

- 27 Atque in hac tamen opinione perseverantes Graecos magis tulerim. Latina mihi facundia, ut inventionem, dispositionem, consilio, ceteris huius generis artibus similis Graecae ac prorsus discipula eius videtur, ita circa rationem eloquendi vix habere imitationis locum. Namque est ipsis statim sonis durior, quando et iucundissimas ex Graecis litteras non habemus, vocalem alteram, alteram consonantem, quibus nullae apud eos dulcius spirant; quas mutua
28 solemus, quotiens illorum nominibus utimur. Quod cum contingit, nescio quomodo hilarior protinus renidet oratio, ut in *Zephyris* et *Zophoris*. Quae si nostris litteris scribantur, surdum quiddam et barbarum efficient, et velut in locum earum succedunt
29 tristes et horridae, quibus Graecia caret. Nam et illa, quae est sexta nostrarum, paene non humana

¹ See II. xvi. 4. Quintilian alludes to an alleged law forbidding Athenian orators to appeal to the emotions in the law courts.

² Φ and Υ.

³ Friezes.

⁴ F and U; *zefuri* and *zofori*.

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- voce vel omnino non voce potius inter discrimina dentium efflanda est; quae, etiam cum vocalem proxima accipit, quassa quodammodo, utique quotiens aliquam consonantium frangit, ut in hoc ipso *frangit*, multo fit horridior. Aeolicae quoque litterae, qua *servum cervumque* dicimus, etiamsi forma a nobis repudiata est, vis tamen nos ipsa persequitur.
- 30 Duras et illa syllabas facit, quae ad coniungendas demum subiectas sibi vocales est utilis, alias super-
vacua, ut *equos* hac et *aequum* scribimus; cum etiam ipsae hae vocales duae efficiant sonum, qualis apud Graecos nullus est, ideoque scribi illorum litteris
- 31 non potest. Quid? quod pleraque nos illa quasi mugiente M¹ litteracludimus in quam² nullum Graece verbum cadit: at illi *ny* iucundam et in fine praecipue quasi tinnientem illius loco ponunt, quae est apud
- 32 nos rarissima in clausulis. Quid? quod syllabae nostrae in B litteram et D innituntur adeo aspere, ut plerique non antiquissimorum quidem, sed tamen veterum mollire temptaverint non solum *aversa* pro *abversis* dicendo, sed et in praepositione B litterae
- 33 absonam et ipsam S subiiciendo. Sed accentus quoque, cum rigore quodam, tum similitudine ipsa,

¹ M added by Halm.

² quam, Halm: qua, MSS.

¹ cp. I. iv. 11.

² A sound approximating to our W.

³ The sound of Q in itself does not differ from C. It would therefore be useless, save as an indication that U and another vowel are to follow. The U in this combination following Q was, as Donatus later pointed out, "neither a vowel nor a consonant," i.e. it was something between U and V.

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- minus suaves habemus, quia ultima syllaba nec acuta unquam excitatur nec flexa circumducitur, sed in gravem vel duas graves cadit semper. Itaque tanto est sermo Graecus Latino iucundior, ut nostri poetae, quotiens dulce carmen esse voluerint, illorum id
- 34 nominibus exornent. His illa potentiora, quod res plurimae carent appellationibus, ut eas necesse sit transferre aut circumire; etiam in iis, quae denominata sunt, summa paupertas in eadem nos frequentissime revolvit; at illis non verborum modo, sed linguarum etiam inter se differentium copia est.
- 35 Quare qui a Latinis exiget illam gratiam sermonis Attici, det mihi in eloquendo eandem iucunditatem et parem copiam. Quod si negatum est, sententias aptabimus iis vocibus quas habemus, nec rerum nimiam tenuitatem, ut non dicam pinguioribus, fortioribus certe verbis miscebimus, ne virtus utraque
- 36 pereat ipsa confusione. Nam quo minus adiuvat sermo, rerum inventionem pugnandum est. Sensus sublimes varique eruantur. Permovendi omnes adfectus erunt, oratio translationum nitore illuminanda. Non possumus esse tam graciles: simus fortiores. Subtilitate vincimur: valeamus pondere. Proprietas penes illos est certior: copia vincamus.

¹ *I. e.* the last syllable and often the last *two* syllables have the grave accent. See I. v. 22 *sqq.*

² *I. e.* because the names are not wholly adequate and there are no satisfactory synonyms.

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- 37 *Ingenia Graecorum etiam minora suos portus habent: nos plerumque maioribus velis movemur, validior spiritus nostros sinus tendat; non tamen alto semper feremur, nam et litora interim sequenda sunt. Illis facilis per quaelibet vada accessus; ego aliquid, non multo tamen, altius, in quo mea cumba*
- 38 *non sidat, inveniam. Neque enim, si tenuiora haec ac pressiora Graeci melius, in eoque vincimur solo et ideo in comoediis non contendimus, prorsus tamen omittenda pars haec orationis, sed exigenda ut optime possumus; possumus autem rerum et modo et iudicio esse similes, verborum gratia, quam in*
- 39 *ipsis non habemus, extrinsecus condienda est. An non in privatis et acutus et indistinctus et non super modum elatus M. Tullius? non in M. Calidio insignis haec virtus? non Scipio, Laelius, Cato in eloquendo velut Attici Romanorum fuerunt? Cui porro non satis est, quo nihil esse melius potest?*
- 40 *Adhuc quidam nullam esse naturalem putant eloquentiam, nisi quae sit cotidiano sermoni similima, quo cum amicis, coniugibus, liberis, servis loquamur, contento promere animi voluntatem nihilque arcessiti et elaborati requirente; quid-*

¹ Owing to the subtlety and delicacy of the Greek language even second-rate talent will be able to win distinction in dealing with minor things. But the coarser and more full-blooded nature of Latin makes this difficult.

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quid huc sit adiectum, id esse adfectionis et
ambitiosae in loquendo iactantiae, remotum a veri-
tate fictumque ipsorum gratia verborum, quibus
solum natura sit officium attributum, servire
41 sensibus: sicut athletarum corpora, etiamsi validiora
fiant exercitatione et lege quadam ciborum, non
tamen esse naturalia atque ab illa specie, quae sit
concessa hominibus, abhorrere. Quid enim, inquit,
attinet circuitu res ostendere et translationibus, id
est aut pluribus aut alienis verbis, cum sua cuique
42 sint adsignata nomina? Denique antiquissimum
quemque maxime secundum naturam dixisse con-
tendunt: mox poetis similiores exstitisse, etiamsi
parcius, simili tamen ratione, falsa et impropria
virtutes ducentes. Qua in disputatione nonnihil
veri est, ideoque non tam procul, quam fit a quibus-
43 dam, recedendum a propriis atque communibus. Si
quis tamen, ut in loco dixi compositionis, ad neces-
saria, quibus nihil minus est, aliquid melius adiecerit,
non erit hac calumnia reprehendendus. Nam mihi
aliam quandam videtur habere naturam sermo
vulgaris, aliam viri eloquentis oratio; cui si res
modo indicare satis esset, nihil ultra verborum

¹ XI. ch. 4.

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proprietatem elaboraret; sed cum debeat delectare, movere, in plurimas animum audientis species impellere, utetur his quoque adiutoriis, quæ sunt
 44 ab eadem nobis concessa natura. Nam et lacertos exercitatione constringere et augere vires et colorem trahere naturale est. Ideoque in omnibus gentibus alius alio facundior habetur et eloquendo dulcis magis (quod si non eveniret, omnes pares essent); at idem homines aliter de re alia¹ loquuntur et servant personarum discrimina. Ita, quo quisque plus efficit dicendo, hoc magis secundum naturam eloquentiæ dicit.

45 Quapropter ne illis quidem nimium repugno, qui dandum putant nonnihil etiam temporibus atque auribus nitidius aliquid atque adfectius postulantibus. Itaque non solum ad priores Catone Gracchisque, sed ne ad hos quidem ipsos oratorem adligandum puto. Atque id fecisse M. Tullium video, ut cum plurimum² utilitati, tum partem quandam delectationi daret; cum et suam se rem agere diceret, ageret autem
 46 maxime litigatoris. Nam hoc ipso proderat, quod placet. Ad cuius voluptates nihil equidem quod

¹ at idem homines aliter de re alia loquuntur, *Halm*: et idem homines aliter de re allocuntur, *G*.

² plurimum, *Christ*: omnium, *G*.

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addi possit invenio, nisi ut sensus nos quidem dicamus plures. Neque enim non¹ fieri potest salva tractatione causae et dicendi auctoritate, si non crebra haec lumina et continua fuerint et invicem offererint.

47 Sed me hactenus cedentem nemo insequatur ultra.

Do tempori, ne hirta toga sit, non ut serica; ne intonsum caput, non ut in gradus atque anulos compactum, cum eo quod, si non ad luxuriam ac libidinem referas, eadem speciosiora quoque sint, quae honesti-

48 ora. Ceterum hoc, quod vulgo sententias vocamus, quod veteribus praecipue Graecis in usu non fuit (apud Ciceronem enim invenio), dum rem contineant et copia non redundant et ad victoriam spectent, quis utile neget? Feriunt animum et uno ictu frequenter impellunt et ipsa brevitate magis haerent et delectatione persuadent.

49 At sunt qui haec excitatiora lumina, etiamsi dicere permittant, a componendis tamen orationibus excludenda arbitrentur. Quocirca mihi ne hic quidem locus intactus est omittendus; nam plurimi² erudi-

¹ non added by *Buttmann*.

² nam plurimi, *Halm*: ā plurimis, *G*.

¹ For this ever-recurring technical term there is no adequate translation. It means a "reflexion couched in aphoristic or epigrammatic form."

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torum aliam esse dicendi rationem, aliam scribendi putaverunt; ideoque in agendo clarissimos quosdam nihil posteritati mansurisque mox litteris reliquisse, ut Pericleni, ut Demaden; rursus alios ad componendum optimos actionibus idoneos non fuisse, ut
 50 Isocraten; praeterea in agendo plus impetus plerumque et petitas vel paulo licentius voluptates, commovendos enim esse ducendosque animos imperitorum; at quod libris dedicatum in exemplum edatur, id¹ tersum ac limatum et ad legem ac regulam compositum esse oportere, quia veniat in manus doctorum
 51 et iudices artis habeat artifices. Quin illi subtiles (ut sibimet ac multis persuaserunt) magistri παράδειγμα dicendo, ἐνθύμημα scribendo esse aptius tradiderunt. Mihi unum atque idem videtur bene dicere ac bene scribere, neque aliud esse oratio scripta quam monumentum actionis habitae. Itaque nullas non, ut opinor, debet habere virtutes,² virtutes dico, non vitia. Nam imperitis placere aliquando quae vitiosa
 52 sint, scio. Quo different igitur? Quodsi mihi des consilium iudicumsapientium, perquam multa recidam ex orationibus non Ciceronis modo, sed etiam eius, qui est strictior multo, Demosthenis. Neque enim

¹ at quod . . . dedicatum . . . edatur id, *Halm*: ad quos . . . dedicantium . . . edantur et, *G*.

² second virtues added by *Buttmann*.

¹ See v. xi. 1. Parallels and especially historical ones.

² See v. xiv. 1 *sqq.* A form of syllogism.

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adfectus omnino movendi erunt, nec aures delectatione mulcendae, cum etiam prooemia supervacua esse apud tales Aristoteles existimet; non enim trahentur his illi sapientes; proprie et significanter
 53 rem indicare, probationes colligere satis est. Cum vero iudex detur aut populus aut ex populo, laturique sint sententiam indocti saepius atque interim rustici, omnia quae ad obtinendum, quod intendimus, prodesse credemus adhibenda sunt; eaque et cum dicimus promenda et cum scribimus ostendenda sunt, si modo ideo scribimus, ut doceamus quomodo dici
 54 oporteat. An Demosthenes male sic egisset, ut scripsit, aut Cicero? aut eos praestantissimos oratores alia re quam scriptis cognoscimus? Melius egerunt igitur an peius? Nam si peius, sic potius oportuit dici, ut scripserunt; si melius, sic potius oportuit scribi,
 55 ut dixerunt. Quid ergo? Semper sic aget orator, ut scribet? Si licebit, semper. Si vero quando¹ impediunt brevitatem tempora a iudice data, multum ex eo, quod oportuit² dici, recidetur; editio habebit omnia. Quae tamen³ secundum naturam iudicantium

¹ Si vero quando, *Wölflin*: steterunt quae, *G*.

² oportuit, *Christ*: potuit, *MSS*.

³ quae tamen, *Halm*: quaedam, *G*.

¹ *Rhet.* iii. 13.

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- dicta sunt, non ita posteris tradentur, ne videantur
 56 propositi fuisse, non temporis. Nam id quoque plurimum refert, quomodo audire iudex velit, atque eius vultus saepe ipse rector est dicentis, ut Cicero praecipit. Ideoque instandum iis quae placere intellexeris, resiliendum ab iis quae non recipiuntur. Sermo ipse, qui facillime iudicem doceat, aptandus. Nec id mirum sit, cum etiam testium personis aliqua
 57 mutentur. Prudenter enim, qui cum interrogasset rusticum testem, an Amphionem nosset, negante eo, detraxit aspirationem brevaviitque secundam eius nominis syllabam, et ille eum sic optime norat. Huiusmodi casus efficient, ut aliquando dicatur aliter quam scribitur, cum dicere, quomodo scribendum est, non licet.
- 58 Altera est divisio, quae in tres partes et ipsa discedit, qua discerni posse etiam recte dicendi genera inter se videntur. Namque unum subtile, quod *λεχρὸν* vocant, alterum grande atque robustum, quod *ἄδρὸν* dicunt, constituunt; tertium alii, medium ex duobus, alii floridum (namque id *ἀνθρὸν* ap-
 59 pellant) addiderunt. Quorum tamen ea fere ratio est, ut primum docendi, secundum movendi, tertium illud, utrocumque est¹ nomine, delectandi sive, ut alii dicunt, conciliandi praestare videatur officium; in docendo autem acumen, in con-

¹ utrocumque est, *Halm* : est ultrorumque, *G*.

¹ Not in any extant work.

² The witness did not recognise the name correctly pronounced *Amphion*, but recognised it when pronounced *Amphion*.

³ *subtilis* (*lit.* = finely woven) applied to style has three meanings: (a) refined, (b) precise, (c) plain. See Sandys on Cic. *Or.* vi. 20.

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ciliando lenitas, in movendo vis exigi videatur. Itaque illo subtili praecipue ratio narrandi probandique consistet, sed saepe id¹ etiam detractis ceteris
60 virtutibus suo genere plenum. Medius hic modus et translationibus crebrior et figuris erit iucundior, egressionibus amoenus, compositione aptus, sententiis dulcis, lenior tamen ut amnis lucidus quidem sed
61 virentibus utrinque ripis² inumbratus. At ille, qui saxa devolvat et *pontem indignetur* et ripas sibi faciat, multus et torrens iudicem vel nitentem contra feret cogetque ire, qua rapiet. Hic orator et defunctos excitabit ut Appium Caecum, apud hunc et patria ipsa exclamabit, aliquandoque ut Ciceronem in ora-
62 tione contra Catilinam in senatu alloquetur. Hic et amplificationibus extollet orationem, et in superlationem quoque erigetur. *Quae Charybdis tam vorax?* et *Oceanus medius fidius ipse*. Nota sunt enim iam studiosis haec lumina. Hic deos ipsos in congressum prope suum sermonemque deducet: *Vos enim Albani tumuli atque luci; vos, inquam, Albanorum obrutae arae,*

¹ saepe id, *Halm*: que id, *G*.

² ripis inumbratus, *Meyer*: sipisim umbratus and the like, *MSS*.

¹ Verg. *Aen.* viii. 728.

² See III. viii. 54. "Cicero in the *pro Caelio* makes both Appius Caecus and her brother Clodius address Clodia, the former rebuking her for her immorality, the latter exhorting her thereto."

³ *Phil.* II. xxvii. 67. The passage continues: "could scarce, methinks, have swallowed with such speed so many things, scattered in so many places."

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sacrorum populi Romani sociae et aequales. Hic iram, hic misericordiam inspirabit, hoc dicente iudex deos¹ appellabit et flebit et per omnes adfectus tractatus huc atque illuc sequetur nec doceri desiderabit.

63 Quare si ex tribus his generibus necessario sit eligendum unum, quis dubitet hoc praeferre omnibus et validissimum alioqui et maximis quibusque causis

64 accommodatissimum? Nam et Homerus brevem quidem cum iucunditate et propriam, id enim est *non deerrare verbis*, et carentem supervacuis eloquentiam Menelao dedit, quae sunt virtutes generis illius primi, et ex ore Nestoris dixit *dulciorem melle profluere sermonem*, qua certe delectatione nihil fingi maius potest; sed summam expressurus² in Ulixæ facundiam et magnitudinem illi vocis et vim orationis nivibus hibernis³ et copia verborum atque impetu

65 parem tribuit. *Cum hoc igitur nemo mortalium contendet; hunc ut deum homines intuebuntur.* Hanc vim et celeritatem in Pericle miratur Eupolis, hanc fulminibus Aristophanes comparat, haec est vere dicendi facultas.

66 Sed neque his tribus quasi formis inclusa eloquentia est. Nam ut inter gracile validumque tertium aliquid constitutum est, ita horum inter se intervalla sunt,

¹ hoc dicente iudex deos appellabit et flebit, *Madrig*: hoc dicente iudet appellavit et flevit, *G.*

² expressurus, *M. Seyffert*: regressurus est, *G.*

³ vocis . . . hibernis, *Seyffert*: vicisset cum orationi similibus, *G.*

¹ *pro Mil.* xxxi. 85.

² *Il.* iii. 214. The words which Quintilian translates by *non deerrare verbis* are οὐδ' ἀφάμαρτοεπής, "no stumbler in speech," rather than "correct in speech."

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- atque inter haec ipsa mixtum quiddam ex duobus
 67 medium est eorum. Nam et subtili plenius aliquid
 atque subtilius et vehementi remissius atque ve-
 hementius invenitur, ut illud lene aut ascendit ad
 fortiora aut ad tenuiora summittitur. Ac sic prope
 innumerabiles species reperiuntur, quae utique aliquo
 momento inter se differant: sicut quattuor ventos
 generaliter a totidem mundi cardinibus accepimus
 flare, cum interim plurimi medii et eorum varia
 nomina et quidam etiam regionum ac fluminum
 68 proprii deprehenduntur. Eademque musicis ratio
 est, qui, cum in cithara quinque constituerunt sonos,
 plurima deinde varietate complent spatia illa ner-
 vorum, atque his, quos interposuerunt, inserunt
 alios, ut pauci illi transitus multos gradus habeant.
- 69 Plures igitur etiam eloquentiae facies, sed stultissi-
 mum quaerere, ad quam se recturus sit orator, cum
 omnis species, quae modo recta est, habeat usum,
 atque id ipsum non sit oratoris, quod vulgo genus
 dicendi vocant. Utetur enim, ut res exiget, omni-
 bus, nec pro causa modo, sed pro partibus causae.
- 70 Nam ut non eodem modo pro reo capitis et in
 certamine hereditatis et de interdictis ac spon-

¹ *cp.* II. x. 5 and IV. ii. 61. *Sponsio* (= wager) was a form of lawsuit in which the litigant promised to pay a certain sum of money if he lost his case. The *interdict* was an order issued by the praetor commanding or prohibiting certain action.

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sionibus et de certa credita dicet, sententiarum quoque in senatu et contionum et privatorum consiliorum servabit discrimina, multa ex differentia personarum, locorum temporumque mutabit, ita in eadem oratione aliter concitabit,¹ aliter conciliabit, non ex iisdem haustibus iram et misericordiam petet, alias ad docendum alias ad movendum adhibebit

71 artes. Non unus color prooemii, narrationis, argumentorum, egressionis, perorationis servabitur. Dicet idem graviter, severe, acriter, vehementer, concitate, copiose, amare, comiter, remisse, subtiliter, blande, leniter, dulciter, breviter, urbane, non ubique similis,
72 sed ubique par sibi. Sic fiet cum id, propter quod maxime repertus est usus orationis, ut dicat utiliter et ad efficiendum quod intendit potenter, tum laudem quoque nec doctorum modo sed etiam vulgi consequatur.

73 Falluntur enim plurimum, qui vitiosum et corruptum dicendi genus, quod aut verborum licentia exultat aut puerilibus sententiolis lascivit aut immodico tumore turgescit aut inanibus locis bacchatur aut casuris, si leviter excutiantur, flosculis nitet aut praecipitia pro sublimibus habet aut specie libertatis insanit, magis existimant populare atque plausibile.
74 Quod quidem placere multis nec infitior nec miror.

¹ aliter concitabit, *added by Halm.*

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- Est enim iucunda auribus ac favorabilis qualiscunque eloquentia et ducit animos naturali voluptate vox omnis, neque aliunde illi per fora atque aggerem circuli; quo minus mirum est, quod nulli non
 75 agentium parata vulgi corona est. Ubi vero quid exquisitius dictum accidit auribus imperitorum, qualecunque id est, quod modo se ipsi posse desperent, habet admirationem, neque immerito; nam ne illud quidem facile est. Sed evanescent haec atque emoriuntur comparatione meliorum, ut lana tincta fuco citra purpuras placet; at si contuleris Tyriae eam¹ lacernae, conspectu melioris obruatur,
 76 ut Ovidius ait. Si vero iudicium his corruptis acrius adhibeas ut fucinis² sulfura, iam illum, quo fefellerant, exuant³ mentitum colorem et quadam vix enarrabili foeditate pallescant. Lucent igitur haec citra solem, ut quaedam exigua animalia igniculi videntur in tenebris. Denique mala multi probant, nemo improbat bona.
- 77 Neque vero omnia ista, de quibus locuti sumus, orator optime tantum sed etiam facillime faciet. Neque enim vim summam dicendi et os⁴ admira-

¹ Tyriae eam, *Halm*: etiam, *MSS*.

² fucinis, *Bullmann*: fucinus, *G*.

³ illum quo fefellerant exuant, *Bullmann*: illud quod fefellerat exuat, *G*. ⁴ os, *Halm*: eos, *G*.

¹ The *agger* of Servius Tullius, which served as a promenade. The nearest modern parallel may be found in the "Hyde Park orator."
² *Rem. Am.* 707 *sqq*.

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- tione dignum infelix usque ad ultimum sollicitudo persequitur, quae¹ oratorem macerat et coquit aegre verba vertentem et perpendendis coagmentandisque
 78 eis intabescentem. Nitidus ille et sublimis et locuples circumfluentibus undique eloquentiae copiis imperat. Desinit enim in adversa niti, qui pervenit in summum. Scendenti circa ima labor est; ceterum quantum processeris, mollior clivus ac laetius solum.
 79 Et si haec quoque iam lenius supina perseverantibus studiis evaseris, inde fructus illaborati offerunt sese et omnia sponte proveniunt; quae tamen cotidie nisi decerpantur, arescunt. Sed et copia habeat² modum, sine quo nihil nec laudabile nec salutare est, et nitor ille cultum virilem et inventio iudicium.
 80 Sic erunt magna non nimia, sublimia non abrupta, fortia non temeraria, severa non tristia, gravia non tarda, laeta non luxuriosa, iucunda non dissoluta, grandia non tumida. Similis in ceteris ratio est ac tutissima fere per medium via, quia utriusque ultimum vitium est.

XI. His dicendi virtutibus usus orator in iudiciis, consiliis, contionibus, senatu, in omni denique officio boni civis finem quoque dignum et optimo viro et opere sanctissimo faciet, non quia prodesse unquam

¹ quae, *Halm*: nec, *MSS*.

² habeat, *Heindorf*: habet, *MSS*.

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satis sit et illa mente atque illa facultate praedito non optandum operis pulcherrimi quam longissimum tempus, sed quia decet hoc quoque prospicere, ne
2 quid peius, quam fecerit, faciat. Neque enim scientia modo constat orator, quae augetur annis, sed voce, latere, firmitate; quibus fractis aut imminutis aetate seu valetudine cavendum est, ne quid in oratore summo desideretur, ne intersistat fatigatus, ne quae dicet parum audiri sentiat, ne se
3 quaerat priorem. Vidi ego longe omnium, quos mihi cognoscere contigit, summum oratorem, Domitium Afrum valde senem, cotidie aliquid ex ea quam meruerat auctoritate perdentem, cum agente illo, quem principem fuisse quondam fori non erat dubium, alii, quod indignum videatur, riderent, alii erubescerent; quae occasio fuit de¹ illo dicendi,
4 *malle eum deficere quam desinere*. Neque erant illa qualiacunque mala sed minora.

Quare antequam in has aetatis veniat insidias, receptui canet et in portum integra nave perveniet. Neque enim minores eum, cum id fecerit, studiorum fructus prosequuntur. Aut ille monumenta rerum posteris aut, ut L. Crassus in libris Ciceronis destinat,

¹ de added by Halm.

¹ By "finish" is meant "retire from pleading."

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iura quaerentibus reddet aut eloquentiae componet
 artem aut pulcherrimis vitae praeceptis dignum os
 5 dabit. Frequentabunt vero eius domum optimi
 iuvenes more veterum et vere dicendi viam velut ex
 oraculo petent. Hos ille formabit quasi eloquentiae
 parens, et ut vetus gubernator litora et portus et
 quae tempestatum signa, quid secundis flatibus, quid
 adversis ratio poscat, docebit, non humanitatis solum
 communi ductus officio, sed amore quodam operis.
 6 Nemo enim minui velit id, in quo maximus fuit. Quid
 porro est honestius quam docere quod optime scias?
 Sic ad se Caelium deductum a patre Cicero pro-
 fitetur; sic Pansam, Hirtium, Dolabellam in morem
 7 praeceptoris exercuit cotidie dicens audiensque. Ac
 nescio an eum tunc beatissimum credi oporteat fore,
 cum iam secretus et consecratus, liber invidia, procul
 contentionibus famam in tuto collocarit et sentiet¹
 vivus eam, quae post fata praestari magis solet,
 venerationem et, quid apud posteros futurus sit,
 videbit.

8 Conscius sum mihi, quantum mediocritate valui,

¹ sentiet, *Obricht*: sententia et, *G*.

¹ *de Or.* I. xlii. 190.

² *pro Cael.* iv. 10.

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quaeque antea scierim, quaeque operis huiusce gratia potuerim inquirere, candide me atque simpliciter in notitiam eorum, si qui forte cognoscere voluissent, protulisse. Atque id viro bono satis est, docuisse
9 quod scierit. Vereor tamen, ne aut magna nimium videar exigere, qui eundem virum bonum esse et dicendi peritum velim, aut multa, qui tot artibus in pueritia discendis morum quoque praecepta et scientiam iuris civilis praeter ea, quae de eloquentia tradebantur, adiecerim, quique haec operi nostro necessaria esse crediderint, velut moram rei per-
10 horrescant et desperent ante experimentum. Qui primum renuntient sibi, quanta sit humani ingenii vis, quam potens efficiendi quae velit, cum maria transire, siderum cursus numerosque cognoscere, mundum ipsum paene dimetiri, minores, sed difficiliore artes potuerint. Tum cogitent, quantam rem petant, quamque nullus sit hoc proposito prae-
11 mio labor recusandus. Quod si mente conceperint, huic quoque parti facilius accedent, ut ipsum iter neque impervium neque saltem durum putent. Nam id, quod prius quodque maius est, ut boni viri simus,
500

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voluntate maxime constat; quam qui vera fide induerit, facile eas, quae virtutem docent, artes
 12 accipiet. Neque enim aut tam perplexa aut tam numerosa sunt quae praecipiuntur,¹ ut non paucorum admodum annorum intentione discantur. Longam enim facit operam quod repugnamus; brevis est institutio vitae honestae beataeque, si credas. Natura enim nos ad mentem optimam genuit, adeoque discere meliora volentibus promptum est, ut vere intuenti
 13 mirum sit illud magis malos esse tam multos. Nam ut aqua piscibus, ut sicca terrenis, circumfusus nobis spiritus volucris convenit, ita certe facilius esse oportebat secundum naturam quam contra eam vivere. Cetera vero, etiamsi aetatem nostram non spatio senectutis sed tempore² adolescentiae metiamur, abunde multos ad discendum annos habent. Omnia
 14 enim breviora reddet ordo et ratio et modus. Sed culpa est in praeceptoribus prima, qui libenter detinent quos occupaverunt, partim cupiditate diutius exigendi mercedulas, partim ambitione, quo difficilius videatur³ esse quod pollicentur, partim etiam inscientia tradendi vel negligentia. Proxima in nobis, qui morari in eo quod novimus, quam discere quae

¹ praecipiuntur, *Buttmann* : praemuntur, *G.*

² tempore, *early edd.* : corpore, *G.*

³ videatur esse, *added by Halm.*

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- 15 nondum scimus, melius putamus. Nam ut de nostris potissimum studiis dicam, quid attinet tam multis annis quam in more est plurimorum (ut de his, a quibus magna in hoc pars aetatis absumitur, taceam) declamitare in schola et tantum laboris in rebus falsis consumere, cum satis sit modico tempore imaginem veri discriminis et dicendi leges comperisse?
- 16 Quod non eo dico, quasi¹ sit unquam omittenda dicendi exercitatio, sed quia non in una sit eius specie consenescendum. Res varias² cognoscere et praecepta vivendi perdiscere et in foro nos experiri potuimus, dum scholastici sumus. Discendi ratio talis, ut non multos poscat annos. Quaelibet enim ex iis artibus, quarum habui mentionem, in paucos libros contrahi solet; adeo non est infinito spatio ad traditionem opus. Reliqua est exercitatio,³ quae
- 17 vires cito facit, cum fecit, tuetur. Rerum cognitio cotidie crescit, et tamen quam multorum ad eam librorum necessaria lectio est, quibus aut rerum exempla ab historicis aut dicendi ab oratoribus petuntur, philosophorum quoque consultorumque opiniones, si utilia velimus legere non, quod ne fieri

¹ quasi, *Halm*: qua, *G*.

² Res varias, *added by Halm*.

³ ad traditionem, *Halm*: ac traditione, *G*.: exercitatio *added by Halm*.

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- quidem¹ potest, omnia? Sed breve nobis tempus
 18 nos facimus. Quantulum enim studiis partimur? Alias horas vanus salutandi labor, alias datum fabulis otium, alias spectacula, alias convivia trahunt. Adiice tot genera ludendi et insanam corporis curam, peregrinatio, rura, calculorum anxiam sollicitudinem, invitamenta libidinum et vinum et flagrantibus omni genere voluptatum animis² ne ea quidem tempora
 19 idonea, quae supersunt. Quae si omnia studiis impenderentur, iam nobis longa aetas et abunde satis ad discendum spatii viderentur vel³ diurna tantum computantibus tempora ut nihil noctes, quarum bona pars omni somno longior est, adiuvarent. Nunc computamus annos, non quibus studuimus, sed quibus
 20 viximus. Nec vero si geometrae et musici⁴ et grammatici ceterarumque artium professores omnem suam vitam, quamlibet longa fuerit, in singulis artibus consumpserunt, sequitur ut plures quasdam vitas ad plura discenda desideremus. Neque enim illi didicerunt haec usque in senectutem, sed ea sola didicisse contenti fuerunt ac tot annos non in percipiendo exhausserunt, sed in praecipiendo.⁵
 21 Ceterum, ut de Homero taceam, in quo nullius non artis aut opera perfecta aut certe non dubia

¹ si utilia, *Christ*: sicuti alia, *MSS.*: quod ne fieri quidem, *Halm*: quod quidem, *MSS.*

² *The text is as corrected by Halm. The MSS. give a variety of readings. The chief alterations involved by Halm's correction are invitamenta for multae causae, multae eam, etc., and flagrantibus for flagitiis. The other changes are of the simplest and most ordinary character.*

³ vel, *Buttmann*: ut, *MSS.*

⁴ et musici, *added by Halm (erasure in G).*

⁵ sed in praecipiendo, *Halm*: *** p*** p****do *G.*

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- vestigia reperiuntur, (ut Eleum Hippiam transeam, qui non liberalium modo disciplinarum prae se scientiam tulit, sed vestem et anulum crepidasque, quae omnia manu sua fecerat, in usu habuit, atque ita se praeparavit, ne cuius alterius opere egeret,) illuisse tot malis, quot¹ summa senectus habet, universae Graeciae credimus Gorgian, qui quaerere
- 22 auditores de quo quisque vellet iubebat. Quae tandem ars digna litteris Platoni defuit? Quot saeculis Aristoteles didicit, ut non solum, quae ad philosophos atque oratores pertinent, scientia complecteretur, sed animalium satorumque naturas omnes perquireret? Illis haec invenienda fuerunt, nobis cognoscenda sunt. Tot nos praeceptoribus, tot exemplis instruxit antiquitas, ut possit videri nulla sorte nascendi aetas felicior quam nostra, cui do-
- 23 cendae priores elaborarunt. M. igitur Cato idem summus imperator, idem sapiens, idem orator, idem historiae conditor, idem iuris, idem rerum rusticarum peritissimus fuit inter tot operas militiae, tantas domi contentiones, rudi saeculo, litteras Graecas aetate iam declinata didicit, ut esset hominibus documento ea quoque percipi posse quae senes con-
- 24 cupissent. Quam multa, paene omnia, tradidit Varro! Quod instrumentum dicendi M. Tullio defuit? Quid

¹ tot malis quot, *Bonnell*: tot ***** quod, *G.*

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plura? cum etiam Cornelius Celsus, mediocri vir ingenio, non solum de his omnibus conscripserit artibus, sed amplius rei militaris et rusticae et medicinae praecepta reliquerit, dignus vel ipso proposito, ut eum scisse omnia illa credamus.

- 25 At perficere tantum opus arduum et nemo perfecit. Ante omnia sufficit ad exhortationem studiorum, capere id rerum naturam nec,¹ quidquid non est factum, ne fieri quidem posse; tum omnia, quae magna sunt atque admirabilia, tempus aliquod quo
26 primum efficerentur habuisse. Nam et poesis ab Homero et Vergilio tantum fastigium accepit et eloquentia a Demosthene atque Cicerone. Denique quidquid est optimum, ante non fuerat. Verum etiam si quis summa desperet (quod cur faciat, cui ingenium, valetudo, facultas, praeceptores non deerunt?), tamen est, ut Cicero ait, pulchrum in
27 secundis tertiisque consistere. Neque enim, si quis Achillis gloriam in bellicis consequi non potest, Aiaceis aut Diomedis laudem aspernabitur, nec qui Homeri non fuerunt, Tyrtaei.² Quin immo si hanc cogitationem homines habuissent, ut nemo se meliorem fore eo qui optimus fuisset, arbitraretur, ii ipsi, qui sunt optimi, non fuissent, neque post Lucretium

¹ nec, *Zumpt*: eo, *AG*.

² non fuerunt, *G*: non tyrthei, *second hand of A*, written in over an erasure.

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ac Macrum Vergilius nec post Crassum et Hortensium
 28 Cicero, sed nec illi, qui post eos fuerunt. Verum
 ut transeundi spes non sit, magna tamen est dignitas
 subsequendi. An Pollio et Messala, qui iam Cicerone
 arcem tenente eloquentiae agere coeperunt, parum
 in vita dignitatis habuerunt, parum ad posteros
 gloriae tradiderunt? Alioqui pessime de rebus
 humanis perductae in summum artes mererentur,
 29 si, quod optimum, idem ultimum¹ fuisset. Adde
 quod magnos modica quoque eloquentia parit fructus
 ac, si quis haec studia utilitate sola metiatur, paene
 illi perfectae par est. Neque erat difficile vel vete-
 ribus vel novis exemplis palam facere, non aliunde
 maiores opes, honores, amicitias, laudem praesentem,
 futuram hominibus contigisse, nisi indignum litteris
 esset, ab opere pulcherrimo, cuius tractatus atque
 ipsa possessio plenissimam studiis gratiam refert,
 hanc minorem exigere mercedem, more eorum, qui
 a se non virtutes sed voluptatem, quae fit ex virtu-
 30 tibus, peti dicunt. Ipsam igitur orandi maiestatem,
 qua nihil dii immortales melius homini dederunt et
 qua remota muta sunt omnia et luce praesenti ac
 memoria posteritatis carent, toto animo petamus
 nitamurque semper ad optima, quod facientes aut
 evademus in summum aut certe multos infra nos
 videbimus.

¹ idem ultimum, added by Buttmann.

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- 31 Haec erant, Marcelle Victori, quibus praecepta dicendi pro virili parte adiuvari posse per nos videbantur, quorum cognitio studiosis iuvenibus si non magnam utilitatem adferet, at certe, quod magis petimus, bonam voluntatem.

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